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AN HISTORICAL AND GENEALOGICAL ACCOUNT
OF THE NOBILITY OF THAT KINGDOM

EDITED BY
SIR JAMES BALFOUR PAUL
LORD LYON KING OF ARMS

WITH ARMORIAL ILLUSTRATIONS

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Banff

OGILVY, LORD BANFF

SIR WALTER OGILVY of Auchlevyn and Deskford, Sheriff of Banff, third son of Sir Walter Ogilvy of Lintrathen (*see* vol. i., p. 112), had, by his wife Margaret Sinclair, heiress of Deskford and Findlater, with other issue:—

1. *Sir James* of Deskford, ancestor of the Earls of Findlater. (*See that title.*)
2. SIR WALTER, ancestor of the Lords Banff.

SIR WALTER OGILVY of Auchlevyn and Boyne, the second son. On 27 July 1472 Walter of Auchlevyn is described by George, Earl of Huntly, as his 'kinsman and squire.' To a letter of that date by the Earl, appointing Sir Alexander Home of that Ilk his bailie over the lands of Fogo in Berwickshire, he appends his kinsman Walter's seal.[1] In Walter's accounts for the burgh of Banff from 20 June 1472 onwards, an annual payment of £4 is made to him out of the customs of the burgh, as bailie for 'Jonete, Lady Edmondistoune,' otherwise described as 'Jonet of Edmonstoun of Tulyalone,'[2] and in the accounts for 1485-86 he is designed as 'Jonet's' spouse.[3] The lady's

[1] *Twelfth Rep. Hist. MSS. Com.*, App. viii. 138. [2] *Exch. Rolls*, viii. 204, 324, 475, 557, 635; ix. 160. [3] *Ibid.*, 458.

real name was Margaret, and she was one of the two heiresses of Sir James Edmondstone of that Ilk. On 23 February 1485-86, by an agreement between Elizabeth Edmondstoun the other heiress of Sir James, and her husband Patrick Blacatir, on the one part, and Margaret and Walter on the other, the latter received the lands of Boyne in Banffshire, and the above annual of £4 in exchange for their share of the lands of Tulliallan in the stewartry of Strathearn,[1] and from that date Walter is designed indifferently as of Auchlevyn, or of Boyne.

In 1486 King James III. appointed him his body squire,[2] and after the battle of Sauchieburn (11 June 1488) he filled a similar post in the household of King James IV., and became one of that monarch's most trusty friends and advisers.[3] On 3 February 1489 he was elected one of the lords auditors,[4] and on 5 May 1491, one of the five lords of causes on behalf of the barons of Scotland.[5]

In 1486 he acquired the lands of Baldavy from the Crown; in 1492,[6] Auchannochquhy from Huntly;[7] in 1494, Regale from the Abbey of Arbroath,[8] and in 1497 Inchdrewir and Kilbirny from the Crown,[9] all these lands being situated in the county of Banff.

In October 1494 he was appointed Sheriff of Inverness,[10] in 1499 Chamberlain of Petty, Brauchly, and Stratherne,[11] in 1500 Chamberlain of Moray,[12] from 1502 onwards he was keeper of the Castle of Inverness,[13] and in 1505 he was Sheriff of Banff.[14]

He was knighted between 4 July 1503 and 8 July 1504,[15] and was still alive on 20 April 1507, when his liferent in Baldavy is reserved.[16] He died prior to 7 August 1508.[17]

[1] *Reg. Mag. Sig.*, 3 March 1485-86. [2] *Ibid.*, 21 April 1486. [3] *Ibid.*, 3 December 1495. [4] *Acta Parl. Scot.*, ii. 220; *Acta Dom. Conc.*, 137. [5] *Acta Parl. Scot.*, ii. 224, 229. [6] *Reg. Mag. Sig.*, 21 April 1486. [7] *Ibid.*, confirmed 3 December 1495. [8] *Reg. Nig. de Aberbrothoc*, 287. [9] *Reg. Mag. Sig.*, 25 May 1497. [10] *Exch. Rolls*, xi. 315*. [11] *Ibid.*, 352. Petty is on the southern shore of the Moray Firth, about six miles from Inverness; Brauchly is in the parish of Cawdor; Stratherne is the valley of the Findhorn. [12] *Ibid.*, 348. [13] *Ibid.*, 315*. [14] *Antiq. of Aberdeen and Banff*, iii. 580. [15] *Exch. Rolls*, xii. 127, 217; *Twelfth Rep. Hist. MSS. Com.*, App. viii. 136; *Records of King's College, Aberdeen*, 49. The editors of the Spalding Club *Miscellany* appear to assign too early a date to the charter they cite (iii. 472) and to which Sir Walter Ogilvy of Boyne, *knight*, is a witness. [16] *Reg. Mag. Sig.*, 20 April 1507. [17] *Ibid.*, 28 November 1508.

By his wife Margaret Edmondstone he had at least seven children:—

1. GEORGE, ancestor of Boyne.
2. *Sir William* of Stratherne, Lord High Treasurer of Scotland. On 20 January 1506, King James IV., who designs William 'familiaris suus,' granted him the lands of Gowny.[1] On 20 April 1507 he had a Crown confirmation of Baldavy and Kilbirnie reserving his father's liferent.[2] On 19 June 1507 he and his wife Alison Roull received a grant of the barony of Stratherne in the sheriffdom of Inverness,[3] the reason assigned by tradition for the gift being that Alison was the first to make known to the King the birth of a son by his wife Margaret Tudor.[4] On 10 September following he had a Crown grant of Kynstaris in the sheriffdom of Nairn,[5] which he afterwards sold; on 3 January 1507-8 the barony of Baldavy;[6] and on 16 November thereafter a renewed grant of Baldavy was made to himself and his wife, who is designed in the charter 'servitrix regine.'[7] In 1510 he acquired Bogmochil, in the sheriffdom of Banff, from the Crown,[8] at which date he is first designed *miles*; and in 1512 from William, Earl Marischal, who speaks of him as his kinsman, Durn, Auchmullie, and Runtreiche in the sheriffdom of Banff.[9] In 1503 the lands of Geddes, held ward from the Crown, were in possession of George, William's elder brother, and ancestor of Boyne, who disponed them to William.[10] The latter also was Crown tenant of Conniche, in the lordship of Petty 1502-8.[11] On 7 March 1512-13 the King, for services freely rendered to him, not only within the kingdom, but also on repeated journeys on special services and business in the kingdoms of France and England, regranted him the barony of Stratherne, and various other lands and rights in the sheriffdom

[1] *Reg. Mag. Sig.*, 20 January 1505-6. [2] *Ibid.* [3] *Ibid.*, 19 June 1507. [4] Macfarlane's *Gen. Coll.*, i. 204. See also *Treasurer's Accounts*, iii., Preface, xxxi. [5] *Reg. Mag. Sig.*, 10 September 1507. [6] *Ibid.* [7] *Ibid.* [8] *Ibid.*, 22 October 1510. [9] *Ibid.*, 6 March 1511-12. [10] *Ibid.*, 17 March 1610; *Cawdor Charters* quoted in Laing's *Supplemental Catalogue*, No. 795. See also *Family of Rose*, 177, where George is designed 'of Geddes.' *The Mackintoshes and Clan Chattan* (New Edition), 110-11. [11] *Exch. Rolls*, xii. 166.

of Inverness, including the tower of Hawhill, erected by Sir William.[1] On 8 July 1504 he rendered his father's accounts for Petty and Brauchly for the year preceding. In 1507 he was chamberlain of Montblairy and other lands in ward of the King in the sheriffdoms of Banff and Aberdeen by the decease of the Earl of Buchan. In 1509 chamberlain of Petty and Brauchly, in 1510 customer of Banff, and in 1512 chamberlain of Moray.[2]

He was one of the parties to the agreement with the Queen-mother, Margaret Tudor, dated 26 August 1514, under which John, Duke of Albany, was invited to Scotland as governor of the kingdom,[3] and on 18 September following was one of the Lords of Council who decreed that the Queen, in virtue of her marriage with the Earl of Angus, had tynt the office of tutrix to the young King.[4] In 1512 he was tutor to Walter Ogilvy, heir of Boyne, son of his elder brother George.[5] On 3 January 1515-16 he was appointed Lord High Treasurer by John, Duke of Albany, governor of the kingdom,[6] and held the appointment until his death, which must have occurred prior to 17 January 1516-17, on which date he is described as deceased, and his accounts are given up in his name by Mr. James Currour.[7] His wife Alison Roull, who is first mentioned in the *Lord High Treasurer's Accounts* under date January 1505-6 as the recipient of a golden necklace from the King,[8] predeceased him.[9] They had an only child—

(1) *John*, designed variously of Stratherne, of Durne, of Carnowseis, and of Sanquhar. In 1517 he, with his uncle and tutor, the Abbot of Dryburgh, obtained a decreet of spuilzie against the Mackintoshes for the destruction of Halhill and wasting of Petty, which had taken place during his father's lifetime.[10] In 1531 he excambed Petty, Brauchly, and

[1] *Reg. Mag. Sig.* [2] *Exch. Rolls*, xii. 217, 433; xiii. 332, 520; xiv. 98. [3] *Acta Dom. Conc.*, xxvi. 109. [4] *Ibid.*, 114, 117. [5] *Antiq. of Aberdeen and Banff*, iv. 95; see *Exch. Rolls*, xiv., where Walter's name incessantly and incorrectly appears as 'Alexander.' He is correctly named 'Walter' in xv. 13 onwards. [6] *Lord High Treasurer's Accounts*, v. 58. He is so designed, 6 February 1516, in *Reg. Mag. Sig.* [7] *Ibid.*, v. 89. [8] *Lord High Treasurer's Accounts*, ii. 177. [9] *Reg. Mag. Sig.*, 15 Sept. 1516. [10] Spalding Club *Miscellany*, ii. 77.

Stratherne with his uncle Walter for Carnowseis, and in 1532 he excambed Mekill Geddes and Rait with Sir John Campbell of Calder, for Moy.[1] He sold Carnowseis in 1536 to his uncle Walter,[2] and his barony of Baldavy in 1545 to Sir Walter Ogilvy of Boyne.[3] He was killed at the battle of Pinkiecleugh, 10 September 1547.[4] By his wife Elizabeth Dunbar, daughter of Sir James Dunbar of Cumnock,[5] who survived him,[6] he left four children:—

i. *Alexander*, who on 18 February 1555, with consent of his curator Thomas Menzies of Pitfoddells, Provost of Aberdeen, disponed his superiority of Geddes and Rait to Mr. John Campbell, prior of Ardchattane.[7] He died *s. p.* 1555.[8]

ii. *Margaret*. On 24 December 1558, as elder heir-female of her brother-german Alexander, she had a precept of *clare constat* from William, Bishop of Aberdeen, of the Kirkton of Fordyce and other lands.[9] Before 23 June 1563 she was married to Mr. Thomas Menzies of Durne, otherwise of Kirkhill and Pitfoddells, Provost of Aberdeen, immediate younger brother of Gilbert of Pitfoddells, Provost of Aberdeen,[10] and had issue:—

(i) *Thomas*, retoured his mother's heir 1 June 1586.[11] He married Elizabeth, daughter of Sir George Ogilvy of Dunlugus. *See infra.*
(ii) *Sir Paul* of Kinmundy.[12]
(iii) *Marjorie*,[13] and (iv) *Mariota*.[14]

iii. *Marjorie*, married to Alexander Keith in Redhych; contract of marriage dated 20 October 1564.[15] Alexander Keith died 29 March 1575.[16] They had issue:—

(i) *Alexander*.[17]
(ii) *Gideon*, portioner of Durne.[18]
(iii) *Christian*.[19]
(iv) *Margaret*.[20]

iv. *Elspet*, married Patrick Dunbar of Sanchar.[21] They had an only son Walter, burgess of Banff,[22] who on 15 May 1606 was served heir-portioner of Sir William Ogilvy of Stratherne, Knight, his great-grandfather, in one-third of the mill of Baldavy.[23]

3. *Mr. James*, Commendator of Dryburgh. This active and distinguished ecclesiastic graduated at Aberdeen.

[1] *Reg. Mag. Sig.*, 28 April, 1 May 1531; *Thanes of Cawdor*, 154, 155. [2] *Reg. Mag. Sig.*, 3 June 1536. [3] *Ibid.*, 24 April 1545. [4] *Thanes of Cawdor*, 174. [5] *Reg. Mag. Sig.*, 23 June 1553; Shaw's *Province of Moray*, ii. 318, where the marriage is given on the authority of the Westfield Papers. [6] *Reg. Mag. Sig.*, 23 June 1553. [7] *Thanes of Cawdor*, 174. [8] *Cal. of Deeds*, H. M. Gen. Reg. Ho. 1768. [9] Original in Reg. Ho. No. 1768. [10] *Reg. Mag. Sig.*, 12 May 1587. [11] *General Retours*, No. 8363; cf. *Banff Retours*, No. 21. [12] *Antiq. of Aberdeen and Banff*, i. 33. [13] *Reg. Mag. Sig.*, 29 April 1592. [14] *Ibid.*, 12 May 1587. [15] *Reg. of Deeds*, viii. 272. [16] *Edin. Com.*, 2 January 1577. [17] *Ibid.* [18] *Reg. Mag. Sig.*, 20 September 1594. [19] *Edin. Test.*, 2 January 1577-78. [20] *Ibid.* [21] *Reg. of Deeds*, xi. 479. [22] *Part. Reg. of Sasines, Banffshire*, 16 July 1604. [23] *Banff Retours*, No. 22.

Along with Monsieur de la Bastie, he was appointed, on 26 November 1513, Ambassador to Louis XII. of France, to confirm the ancient league with that kingdom, and to invite the Duke of Albany to Scotland as governor.[1] In the beginning of April 1514 he was acting as Master of Requests to the young King.[2] On 6 July in that year he is designed Rector of Kynkell,[3] and from the frequent appearance of his name as witness to Crown charters, it is evident he was a close attendant at Court for a considerable period. On the death of Bishop Elphinstone of Aberdeen, 25 October 1514, Mr. James, then in France, was nominated to the vacant see by John, Duke of Albany,[4] but the benefice was conferred on Alexander Gordon, third son of James Gordon of Methlic and Haddo. (*See title* Aberdeen.) The earliest reference observed to him as Abbot of Dryburgh is on 24 September 1515.[5] In a mortification dated 15 July 1516, by Sir William Ogilvy of Stratherne, he is designed Abbot of Dryburgh, and brother of Sir William.[6] He succeeded his elder brother Sir William as tutor to their nephew Walter, the young heir of Boyne,[7] and later filled the same office to Sir William's son and heir, John.[8]

He died at Paris 30 May 1518, and was interred in the church of St. Landrus in that city.[9]

4. Sir Walter.
5. *John*, rendered the accounts of his father Sir Walter for the Chamberlainship of Petty and Brauchly at Edinburgh, 12 August 1503.[10] In 1505 he became Crown tenant of Cloanemore and Callouchquhy, in the lordship of Petty.[11] These lands, on 19 June 1507, were granted to Mr. William Ogilvy of Geddes and Alison Roull, his wife, and incorporated in the barony of Stratherne.[12] As Chamberlain he rendered

1 *Acta Parl. Scot.*, ii. 281, 282. 2 *Reg. Mag. Sig.*, 2 April 1514. 3 *Ibid.*, 6 July 1514. 4 Keith's *Catalogue*. 5 *Treas. Acc.*, v. 40. 6 *Reg. Mag. Sig.*, 15 September 1516. 7 *Antiq. of Aberdeen and Banff*, iv. 96; *Exch. Rolls*, xiv. 341. In the *Antiquities* cited, Walter of Boyne is designed 'nobilis puer nepos et hæres' of Sir Walter of Auchlevyn. In the *Frasers of Philorth*, ii. 142, 'nepos' is incautiously translated 'nephew' instead of 'grandson.' 8 Spalding Club *Miscellany*, ii. 77-80. 9 *Reg. Epis. Aber.*, ii. 207; *Antiq. of Aberdeen and Banff*, i. 572. 10 *Exch. Rolls*, xii. 58. 11 *Ibid.*, 667-8. 12 *Reg. Mag. Sig.*, 19 June 1507.

the account of Petty and Brauchly up to July 1509,[1] in which year he was succeeded by his elder brother William in that office.[2] He is not called in any of the settlements made by his brothers or cousins.

6. *Jonet*, married to William Gordon of Schivas, third son of George, second Earl of Huntly.[3] They had a son, George Gordon of Gight, ancestor of Lord Byron. Jonet had a lease from the Abbey of Arbroath of certain teinds in the parishes of Tarves and Fyvie, 7 October 1526.[4]
7. *Elizabeth*, married to William Leslie of Balquhain.[5] They had a charter of Syd, with the mill, 7 April 1514.[6] She died in September 1518, leaving, with other issue, a son *John*, who succeeded to Balquhain.[7]

Sir Walter Ogilvy of Dunlugus. In 1517 Walter succeeded his brother James, Abbot of Dryburgh, as tutor to their nephew John, son and heir of Sir William, the Lord High Treasurer, when he is designed 'of Baddynspink.'[8] In 1524, as 'magister stabuli domini regis et principalis dapifer,' he received an annual fee of 20 merks.[9] From 1518 to 1525 he was tutor to Walter Ogilvy of Boyne, heir of his eldest brother George.[10] He rendered the accounts of the bailies of Banff from 1518 onwards, and in the account of 1525-26 he is designed 'of Monycabock.'[11] His acquisitions of land were extremely numerous, and may be traced up to 1556 in the Register of the Great Seal. In 1538 his acquisitions to that date were incorporated in a barony called the barony of Dunlugus.[12] He added other lands later.

The date of his knighthood may be inferred from the entries in the *Exchequer Rolls*. Under date 26 July 1533, he renders his accounts as customar of Banff, as 'Walter Ogilvy of Stratherne,'[13] on 19 August 1534, as 'Sir Walter Ogilvy of Dunlugus, knight.'[14] His last account as customar of Banff was rendered at Edinburgh 9 February 1557.[15]

[1] *Exch. Rolls*, xiii. 210. [2] *Ibid.*, 332. [3] *The Records of Aboyne*, 54, 412. [4] *Reg. Nig. de Aberbrothoc*, 457. [5] *Reg. Mag. Sig.*, 20 January 1505-6; *Hist. Rec. of the Family of Leslie*, iii. 25. [6] *Reg. Mag. Sig.* [7] *Hist. Rec. of the Family of Leslie*, iii. 25. [8] *Exch. Rolls*, xv. 30. [9] *Ibid.*, 94. [10] *Ibid.*, 73, 192, 371. [11] *Ibid.*, 73, 191, 274, 362, 444, 513. [12] *Reg. Mag. Sig.*, 13 December 1538. [13] *Exch. Rolls*, xvi. 235. [14] *Ibid.*, 357. [15] *Ibid.*, xix. 6.

He was succeeded in that office by his son George.[1] Called as a substitute in the Findlater entails.[2] He maintained his post at the Court for many years.[3] In 1543, when representing the town of Banff in Parliament, he was elected one of the Lords of the Articles.[4] In that year he signed Cardinal Beaton's bond against the English party,[5] and was nominated one of the ambassadors to Henry VIII.[6] In 1546 he was a member of the Privy Council.[7] He was provost of the burgh of Banff at least as early as 1541,[8] and with the exception of the year 1549, when it was held by his relative Sir Walter Ogilvy of Boyne, appears to have held that office until his death on 29 November 1558.[9]

His wife was Alison Home, the second of the three daughters and co-heiresses of Cuthbert Home of Fastcastle, and his wife Elizabeth Mairtene,[10] Cuthbert being the son of Sir Patrick Home of Fastcastle, second son of Alexander, first Lord Home.[11] Alison's name first appears in her husband's charters in 1534,[12] when her eldest son George is mentioned. She died 25 July 1557.[13] Their children were:—

1. Sir George.
2. *Walter*, who received in 1549 a grant of Carnowseis on his father and mother's resignation,[14] and in 1556 from the same source Blacklaw and Crannochie.[15] He sold Carnowseis to his elder brother George in 1582.[16] He married (contract dated 22 September 1578) Helen, daughter of James Stewart, Lord Innermeath,[17] and died before 31 July 1583. He was survived by two daughters, Margaret and Helen.[18]

[1] *Exch. Rolls*, xix. 195. [2] *Reg. Mag. Sig.*, 28 September 1545; 8 June 1546. [3] *Ibid.*, 18 June 1539. [4] *Acta Parl. Scot.*, ii. 427. [5] *The Hamilton Papers*, i. 631. [6] *Ibid.*, ii. 249, 415. [7] *P. C. Reg.*, i. 57. [8] *Annals of Banff*, ii. 267. [9] Inscription on Tomb in Banff quoted in old *Statistical Account*. The statement in the *Annals of Banff* (ii. 248), that in 1551, 'George' of Dunlugus was Provost of Banff, seems to be an error for 'Walter.' See *Antiq. of Aberdeen and Banff*, i. 29; ii. 5, 111, 381. [10] *Reg. Mag. Sig.*, 16 August 1582; Pitcairn's *Criminal Trials*, i. 179*. [11] *Acta Dom. Conc. et Sess.*, ii. 85. In Fraser's *Memorials of the Montgomeries* (i. 34), Alison is asserted to be the daughter of Sir Patrick Home of Fastcastle, and again in the *Melvilles, Earls of Melville*, where the author does not hesitate to marry Elizabeth Martin to her father-in-law. *Twelfth Report Hist. MSS. Com.*, App. viii. 97. [12] *Reg. Mag. Sig.*, 15 February 1534-35. [13] Inscription on Tomb at Banff above quoted. [14] *Reg. Mag. Sig.*, 28 October 1549. [15] *Ibid.*, 24 February 1556-57. [16] *Ibid.*, 11 July 1583. [17] *Reg. of Deeds*, xxxiii. 282. [18] *Ibid.*, xxi. 397.

3. *John*, who with his brother Thomas wrote to their brother George from Louvain, 10 August 1571, that they were not willing to return home for sundry causes; that Lord Seton invited them to return with him, and offered them other kindnesses for which they desired he might be thanked.[1] On 28 March 1574 James Adamsoun, burgess of Edinburgh, is cautioner for Mr. John Ogilvy, parson of Crudèn, now remaining in Louvain, to compeir within the realm before the Regent and Privy Council 'to underly sic ordour and directioun as salbe gevin to him concerning his profession of religioun.'[2] In 1589 he is still designed parson of Cruden,[3] and he was alive on 17 March 1606.[4]
4. *Thomas*. (*See note under John.*)
5. *James*, married Agnes Gordon, and died before 1589. Agnes Gordon's other husband was John Gordon of Buckie.[5]
6. *Magdalen*, married, *circa* 1559, to Alexander Fraser of Philorth, and had, with other issue, Alexander Fraser, ninth of Philorth.[6] (*See title* Saltoun.)
7. *Marie*, married to William Abernethie of Birnes, brother-german to Alexander, Lord Saltoun (marriage-contract dated 11 January 1564).[7] They had an only daughter, Elizabeth or Elspeth, who was married to her cousin-german, James Ogilvy.[8] (*See* p. 13.)
8. A daughter, married to Alexander Gordon of Cluny, who was succeeded by his brother John in 1569. They had a daughter, Janet, married to James Gordon of Birkenburn.[9]

Sir Walter had six natural children:—

1. *George*, to whom the fee of Alweth and Innerichney was destined in 1539.[10] He appears to have had a son *Mr. Thomas*, who is mentioned 8 February 1588,[11] after which date we find Innerichney in possession of a legitimate branch of the family.[12]
2. *Alexander*. Along with his brother George and John

[1] *Cal. of Scottish Papers*, iii. 641. [2] *P. C. Reg.*, ii. 351. [3] *Reg. of Deeds*, xxxiii. 282. [4] *P. C. Reg.*, vii. 631. [5] *Acts and Decreets*, cxix. 33. [6] *Frasers of Philorth*, i. 152, 161, 166. [7] *Reg. Mag. Sig.*, 7 July 1612. [8] *Ibid.* [9] *The Records of Aboyne*, 230. [10] *Reg. Mag. Sig.*, 5 February 1539-40; *Reg. of Cupar Abbey*, ii. 4. [11] *Reg. Mag. Sig.*, 8 February 1587-88. [12] *See post* page 14.

Ogilvy of Durne, son of Mr. William, the Treasurer, he had a lease for nineteen years, from 1530, of the Teinds of Gamrie.[1] They had also leases of Teinds from the Monastery of Arbroath.[2]

3. *Walter.*
4. *James.*[3]
5. *Elizabeth.*
6. *Elizabeth (secunda).* Nos. 2, 3, 5 and 6 received letters of legitimation on 18 June 1542.[4]

Sir George Ogilvy of Dunlugus and Banff is designed fiar of Hutoun, Bonyntoun, Hornedean, Nisbetscheillis and Rauthburne in the county of Berwick, in the Crown grant of these lands to his father and mother, 5 January 1542-43,[5] and from 1576 onwards he grants charters of these lands.[6] In 1550 he received from his parents Sandelaw.[7] In 1557 he and his wife Beatrix Setoun received from his father and mother one-half of Dunlugus and Meirdene with the fishings, the Haughs of Newton and the Castleton of Kynedward.[8] In 1567 he was called in the succession to the Findlater entails.[9]

His additions to the family estates were the superiorities of Baughlaw and Karnelpies with the fishings in Dovern, acquired from John Gordon *alias* Ogilvy of Findlater, in 1554,[10] Tarliar in the lordship of Glendowachy bought, in 1571, from the Earl and Countess of Buchan,[11] who also conveyed to him other subjects in the sheriffdom of Banff in 1574;[12] in 1580 one-half of the lands of Orde in Banff, from Elizabeth Orde, portioner of that Ilk;[13] in 1582 the barony of Carnowseis from his brother-german Walter, in the Crown confirmation whereof, dated 11 July 1583, he is designed 'Sir George Ogilvy of Dunlugus, Knight;'[14] in 1592, from Mr. William Meldrum of Montcoffer, he had one-half of Montcoffer with the fishings in the Dovern in the sheriffdom of Aberdeen.[15] He sat as one of the lesser barons in the Parliament held at Edinburgh 1 August 1560, when the

[1] *Antiq. of Aberdeen and Banff*, iii. 539. [2] *Reg. Nig. de Aberbr.*, 487, 520. [3] *Acts and Decreets*, x. 190. [4] *Reg. Mag. Sig.*, 18 June 1542. [5] *Ibid.*, 5 January 1541-42. [6] *Laing Charters*, Nos. 1030, 1253, 1902; *Acta Parl. Scot.*, x. 291. [7] *Reg. Mag. Sig.*, 8 August 1550. [8] *Ibid.*, 21 May 1557. [9] *Ibid.*, 8 May 1567. [10] *Ibid.*, 20 December 1555. [11] *Ibid.*, 10 May 1581. [12] *Ibid.* [13] *Ibid.*, 22 April 1581. [14] *Ibid.*, 11 July 1583; cf. *Exch. Rolls*, xxi. 241. [15] *Reg. Mag. Sig.*, 21 August 1595.

Confession of Faith was confirmed by Parliament;[1] and in 1574 he was a commissioner for holding wapenschaws in Banff.[2] In 1567 he was Provost of Banff,[3] and held the office continuously for many years, at least until 1600,[4] and on 26 July 1621, not long before he died, he conveyed to the burgh various lands and tenements within the town.[5] On 30 April 1589 he signed a bond not to interfere with the King's authority, estate, or religion,[6] and in 1594, when he is designed 'of Banff,' he is cited with other northern magnates to appear before the King in Council to answer for good rule and loyalty within his territories.[7]

Sir George died 11 August 1621, having lived, according to Arthur Johnston, twenty-one olympiads or eighty-four years,[8] and having had thrice as many children of his body as there are years in an olympiad. His wife was Beatrix, fourth daughter of George, then Lord Seton,[9] the contract of marriage being dated 24 February 1556-57.[10] The six children who have been traced are:—

1. WALTER.
2. *George*, designed in 1590 of Carnowseis,[11] had on 5 September 1595 a charter to himself and Margaret Ogilvy, his first wife, of Carnowseis, Crannock, and Blacklaw, on his father's resignation.[12] He married, secondly, contract dated 6 January 1607, Barbara, daughter of Sir Alexander Fraser of Philorth. Her tocher was 6000 merks.[13] Between 1608 and 1622 he acquired various properties in Aberdeenshire.[14] In 1605 Parliament, considering 'the grite and extraordinary derth and pryces raisit vpoun the buitis and shone throughout all pairtis of this country to the grite hurt and prejudice of all estaitis of personis,' appointed a commission 'to take tryall zeirlie of the pryces of all rough hydis and of the difference of the price betwixt the rough hydis and the baskit hydis, and to sett down reasonable pryces vpoun the buittis

[1] *Acta Parl. Scot.*, ii. 526. [2] *Ibid.*, iii. 191. [3] *Annals of Banff*, ii. 267, 411. [4] *Exch. Rolls*, xxi. 241; *P. C. Reg.*, vi. 658. [5] *Annals of Banff*, ii. 406. [6] *P. C. Reg.*, iv. 379. [7] *Ibid.*, v. 146. [8] *Antiq. of Aberd. and Banff*, i. 645. 'This *first* Lord Banff lived one hundred and five years, and continued fresh and ruddy to the last.' [9] *Acta Parl. Scot.*, ii. 578. [10] *Reg. of Deeds*, ii. 113. [11] *P. C. Reg.*, iv. 476. [12] *Reg. Mag. Sig.*, 5 September 1595. [13] *Ibid.*, 14 July 1609. [14] *Ibid.*; *Part. Reg. Sas., Banff*; and *Reg. Sec. Concilii*, xiii.3.

and shone with penalties vpoun the cordinairis who sall contraveyne raise or heicht the said price.' The commissioners not having succeeded in putting down the boot trust, an addition in 1608 was made to their numbers, including George of Carnowseis, and they were directed to meet twice a year to fix the price of 'buittis and shoone.'[1] In 1609 he was nominated one of the commissioners to enforce the practice of archery in Banffshire;[2] in 1621 he represented the county in Parliament;[3] in 1624 he was Provost of Banff,[4] and held the office at his death, on 1 February 1625.[5]

By Margaret Ogilvy, who died 11 December 1599,[6] he had three sons and two daughters, and by Barbara Fraser one son:—

(1) Sir George. On 10 May 1625 served heir to his father in the barony of Carnowseis, Crannoch, and Blacklaw;[7] and in other lands on 13 May 1625[8] and 11 January 1628.[9] He was created a Baronet of Nova Scotia 24 April 1626.[10] Received a remission for the slaughter of James Ogilvie of Auchireis and Paddoklaw, 2 February 1629.[11] In 1628 he was Provost of Banff.[12] A devoted adherent of Charles I., 'he suffered much for his loyalty, as all his fortunes were extinguished, his lands ruined and laid waste, and himself and his lady forced to fly the country, and he will never be able to recover.'[13] He acquired the renunciation of Ordley in 1657.[14] He married, contract dated 25 November 1618, Jean, daughter of Sir Thomas Gordon of Cluny, Knight. She was infeft in Crannoch, 16 October 1619.[15]

(2) *John*, designed in 1621 'of Birnes.'[16] Servitor to Alexander, Earl of Dunfermline.[17] He married Jean, daughter of Sir William Seton.[18]

(3) *Thomas*.[19]

(4) *Helen*, married to William Gray. She had a wadset over Persent, part of Haltoun of Auchterles.[20]

(5) *Elizabeth*, married to George Meldrum of Haltoun of Achterles, contract dated 9 and 10 August 1610.[21]

(6) *Alexander*, son of second marriage, who had a Crown charter

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[1] *Acta Parl. Scot.*, iv. 404*b*. [2] *Ibid.* [3] *Parliamentary Return of Members of Parl.*, 553. [4] *Annals of Banff*, i. 53; ii. 52, 267. [5] *Ibid.* [6] *Edin. Test.*, 9 August 1600. [7] *Banff Retours*, 47. [8] *Aberdeen Retours*, 187. [9] *Aberdeen and Banff Retours*. [10] *Reg. Mag. Sig.*, 24 April 1626. [11] *Ibid.*, 2 February 1629. [12] *Annals of Banff*, i. 59. [13] *Britaine's Distemper*, 23. [14] *Part. Reg. of Sas., Banff.* [15] *Ibid.* [16] *P. C. Reg.*, xii. 570. [17] *Reg. Mag. Sig.*, 13 February 1621. [18] *Aberdeen Sasines*, iv. 40. [19] *Edin. Test.*, 9 August 1600. [20] *Reg. Mag. Sig.*, 19 December 1628; *Edin. Test.*, 9 August 1600. [21] *Gen. Reg. of Inhibitions*, iii. 250.

25 February 1632 of Knok in Strathisla.[1] In 1629 he was admitted a burgess of Banff.[2] He married Marie, daughter of James Ogilvy of Boyne and Isobelle Ogilvy, daughter of Walter Ogilvy of Dunlugus and Banff.[3] He had a son—

James, who married, contract dated 28 June 1656, Christian, daughter of Walter Stewart of Ryland, and received a grant of Crannoch in that year from his uncle Sir George of Carnowseis.[4] He was served heir to his father in Knock 25 November 1658.[5]

3. *James*, married his cousin Elspeth Abernethie, only daughter of Marie Ogilvie (*see* p. 9) and William Abernethie of Birnes. Birnes was disponed to Elspeth by her father William in 1595[6] and in 1599 the spouses had a Crown charter of these lands on their own resignation.[7] James was infeft in Easter and Wester Knok 20 May 1608,[8] and acquired on 12 June 1616 a number of other lands in the barony of Auchterles Dempter.[9] He died *s. p.* 29 January 1617, and was succeeded in his heritage by his younger brother Robert, and in his conquest lands by his eldest brother George of Carnowseis.[10] The latter erected a monument to James's memory in Seton Chapel, East Lothian.[11]
4. *Robert*, burgess of Banff. On 17 July 1608 James of Birnes sold to him Pyperscroft and other subjects in the burgh of Banff.[12] He married Janet Baird.[13]
5. *Janet*, married to William Forbes, ninth Laird of Tolquhoun, who died in 1602, and had with other issue, Walter, heir of Tolquhoun.[14]
6. *Elizabeth*, married, first, to Henry Urquhart of Cromarty, who died prior to 23 May 1587, leaving issue;[15] secondly, to William, third son of William Leslie of Wardis, to whom his father gave, in 1596, his lands in Garioch;[16] and thirdly, to Mr. Thomas Menzies of Durne, Provost of Aberdeen, with issue.[17]

[1] *Reg. Mag. Sig.*, 25 February 1632. [2] *Annals of Banff*, ii. 417. [3] *Part. Reg. of Sas., Banff*, 30 June 1632, MS. Hist. of Irvines of Drum, Lyon Office. [4] *Banff Sas.*, viii. 31. [5] *Banff Retours*, 106. [6] *Reg. Mag. Sig.*, 7 July 1612. [7] *Ibid.*, 1593-1608, 9 April 1599. [8] *Part. Reg. of Sas., Banff.* [9] *Reg. Mag. Sig.*, 31 March 1617. [10] *Ibid.*, 25 February 1632. [11] *House of Seton*, ii. 779. [12] *Part. Reg. of Sas., Banff.* [13] *Ibid.*, 20 December 1624. [14] *Antiq. of Aberdeen and Banff*; Macfarlane's *Gen. Coll.*, i. 226, 476. In the first reference Macfarlane calls Janet daughter of the Laird of Banff; in the second, daughter of Sir Walter Ogilvy of Banff. [15] *Register of Deeds*, xlii. 1. [16] Macfarlane's *Gen. Coll.*, ii. 26; *Family of Leslie*, iii. 283. [17] *Banff Retours*, 21; *Antiquities of Aberdeen and Banff*, iii. 288.

Walter Ogilvy of Dunlugus and Banff is styled apparent of Dunlugus in a charter dated 5 March 1582 by Patrick Chene of Essilmonth to Alexander Fraser of Philorth, of lands in Aberdeenshire.[1] On 31 October 1598 he received a Crown confirmation of Alveth and Innerichnie on his father's resignation,[2] and from the same source in 1610 the liferent of Montcoffer, Govenye, Sandelaw, Bauchlaw, and Karnelpies, the fee being destined to his eldest son George.[3] From this period he is generally designed 'of Banff.'[4] In 1619 he was elected Provost of Banff, but as by Act of Parliament it was ordained 'that none should be chosen provost of a burgh but burgesses actually dwelling therein and having trade and handling within the same,' Walter was summoned before the Privy Council to answer for breaking the law, with the result that he renounced the office.[5] In 1620, however, we find him provost of the burgh, in 1624 a member of the town council, and provost from 1625 until his death.[6] He was served heir to his father on 7 October 1625,[7] and died between 14 February 1627 and 10 May 1628.[8] By his wife Helen, daughter of Walter Urquhart, younger of Cromarty,[9] he had:—

1. Sir George.
2. *Walter* of Innerichnie. In 1614 he had a charter of the superiority of Auchorsk.[10] His wife was Isobel, daughter of Thomas Urquhart of Burrisyards. Her father and husband were at feud with the Tullochs of Tannachies, and as the result of a scuffle between the parties at the kirk of Forres in 1623 'schoe tooke bed immediatlie and never eat nor drank till schoe deit.'[11] In 1624 Walter was a bailie of Banff.[12] On 1 August 1625 he received a licence to go abroad for three years.[13] He died before 14 March 1629, on which date his brother George was served heir to him in the superiority of Auchorsk.[14]
3. *Beatrice*, married to Alexander Seton of Pitmedden,

[1] *Reg. Mag. Sig.*, 22 April 1588. [2] *Ibid.*, 31 October 1598. [3] *Ibid.*, 8 August 1610. [4] *Ibid.*, 14 February 1627. [5] *P. C. Reg.*, xii. 120, 151. [6] *Annals of Banff*, i. 57; ii. 52, 267. [7] *Banff Retours*, 49. [8] *Reg. Mag. Sig.*, 14 February 1627; *P. C. Reg.*, 2nd series, ii. 592. [9] *Thanage of Fermartyne*, 692. [10] *Reg. Mag. Sig.*, 5 July 1614; *Ibid.*, 29 July 1625. [11] *P. C. Reg.*, xiii. 159, 173. [12] *Annals of Banff*, ii. 52. [13] *P. C. Reg.*, 2nd series, i. 113. [14] *Banff Retours*, 58.

who was served heir to his father James in 1628.[1] They had issue a son John, who succeeded to that estate.[2]

4. *Isobelle*, married to James Ogilvy of Boyne after 28 July 1601,[3] and had a son Walter, who succeeded to that estate,[4] and a daughter, Marie, who married Alexander Ogilvy of Knok, fourth son of George of Carnowseis. (*See ante*, p. 13.)
5. *Mary*, married, contract dated 16 February 1614, Ninian Dunbar of Grangehill.[5]

Walter had also an illegitimate son, *John*, admitted in 1626 a burgess of Banff.[6]

I. Sir George Ogilvy of Banff had, on 9 March 1610, with his wife Margaret Irving of Drum, a charter of the barony of Dunlugus on the resignation of his grandfather Sir George.[7] On 3 July 1617 he had a Crown confirmation of Ord.[8] On 24 May 1621 he was infeft by Sir George, his grandfather, in Tilbertie, Torfaulds, and Oatlaw.[9] In 1624, with consent of his father Walter, he resigned the barony of Dunlugus in favour of Sir Thomas Urquhart of Cromarty, who was infeft therein 18 July 1624.[10] From this period the family designation of 'Dunlugus' is dropped, and that 'of Banff' substituted, though the latter designation was applied to the family so early as 1594.[11] In 1625 George is designed 'of Moncoffer, Laird of Banff, junior,'[12] and in 1627 when he received a Crown confirmation of Sandelaw, Oatlaw, and others, 'junior of Banff, formerly titular fiar of Dunlugus.'[13] In 1626 he was infeft in Dalhauche and Smiddiehillis,[14] and in the same year in the barony of Inchdrewer.[15] Monteoffer resigned in 1628 in favour of Sir Thomas Urquhart of Cromarty.[16] In 1632 he sold Oatlaw in the parish of Alvah to James Stewart of Ryland.[17] In 1636 he acquired Blairshinnoch and Meikle Raittre,[18] and Forglen in 1637.[19]

[1] *Aberdeen Retours*, 207. [2] *Reg. Mag. Sig.*, 15 March 1634; *House of Seton*, i. 472; Probative Quartering in *Nisbet Plates*, 132. [3] *Part. Reg. of Sas., Banff*, i. 64. [4] *Ibid.*, 26 December 1620. [5] *Reg. of Deeds*, ccxli. 3 August 1615, cclxxxii. 29 March 1619. [6] *Annals of Banff*, ii. 417. [7] *Reg. Mag. Sig.*, 9 March 1610. [8] *Ibid.*, 1646, 3 July 1617; *Part. Reg. of Sas., Banff*. [9] *Part. Reg. of Sas., Banff*. [10] *Ibid.* [11] *P. C. Reg.*, v. 659. [12] *Reg. Mag. Sig.*, 19 July 1625. [13] *Part. Reg. of Sas., Banff*. [14] *Ibid.* [15] *Ibid.* [16] *Reg. Mag. Sig.*, 29 January 1628. [17] *Ibid.*, 14 July 1632. [18] *Ibid.*, 23 January 1636. [19] *Ibid.*, 4 April 1637.

He was created a Baronet of Nova Scotia 20 July 1627,[1] and in the same year he succeeded his father Walter as Provost of Banff.[2] On 2 February 1629 he and his cousin Sir George of Carnowseis received letters of remission for the slaughter of James Ogilvie of Auchiries and Paddoklaw, committed under provocation within the burgh of Banff 3 October 1628.[3] With the feud which culminated in the 'Burning of Frendraught,' on 8 October 1630, Sir George was closely connected, being an ally of the Crichtons, and early in that year he and Frendraught petitioned to be exonerated from the slaughter of William Gordon of Rothiemay, on the ground that the latter was slain while the petitioners were endeavouring to arrest him on the warrant of the Privy Council.[4] The only person executed for the 'Burning of Frendraught' was a certain John Meldrum, who, on the night before the house was burned, in reply to Banff, who had urged him to be reconciled to Crichton, replied that he could not be reconciled unless it were instantly done, because Frendraught would be burned before next morning.[5]

In 1629 Sir George was elected an elder of the Church of Scotland along with his agent, Mr. William Sharpe, Sheriff Clerk of Banff, formerly schoolmaster of Cullen and father of Archbishop Sharpe.[6] Throughout the Civil War he was a uniform adherent of the King, and the aspersion that he was indifferent or lukewarm in the cause is not borne out by the record.[7] In Principal Baillie's estimation he 'was a rash and profane man.'[8] He was Huntly's guiding spirit in his opposition to the Covenanters, and he and Gordon of Haddo were the leaders at the Trot of Turriff, 14 May 1639.[9] He was conspicuous on the King's side at the action of the Bridge of Dee, 19 June 1639, where

[1] Charter under the Great Seal of the barony and regality of Banff-Ogilvy in Nova Scotia, in favour of Sir George Ogilvy of Banff, Bart., dated 20 July 1627; Inv. *penes* Sir William Fraser's Trustees. [2] *Annals of Banff*, i. 57; ii. 267. [3] *Reg. Mag. Sig.*, 2 February 1629. [4] *P. C. Reg.*, 2nd series, iii. 485, etc. [5] *Ibid.*, iv. 609; *Family of Leslie*, iii. 390. [6] *Annals of Banff*. [7] Gordon's *Hist. of Scots Affairs*, i. 61. At p. 211 the historian speaks of Banff as one who 'profest' to do much for the King, and at p. 263 he avers that Banff, after his interview with Sir Robert Innes in 1639, 'never was cordial in the King's service.' The losses and sufferings of the Banff family in the Royal cause form a sufficient reply to this innuendo. [8] Baillie's *Letters*, i. 205. [9] Gordon's *Hist of Scots Affairs*, i. 211, 528.

Montrose commanded the Covenanters.[1] For these misdemeanours he was marked down for punishment. Munro, at the head of the Covenanting army, marched to Banff, destroyed the beautiful gardens and hewed down the trees. The mansion-house fared no better. The iron, glass, timber, and hewn work they cut out and destroyed, 'leaving nothing to be seen but defaced walls, which yet speacke its beautye as it now standes lycke ane old rouinouse abbey.' This outrage, uncommemorated in peasant balladry, was mourned by a King. Charles I., when it was reported to him, said that for the house it mattered not, it could be replaced, 'but that it was a crwell thing to fall upon the garden, the losse wherof could not in many yeares be repaired, and so much the worse because it had neither done evill nor could hurt them; besyde that it was ane ornament to the toune and countrey.'[2] Inchdrewer, the other residence of the family, was also laid waste; Forglen was preserved by the courage of its defenders.[3]

On 31 August 1642, for his faithful services, King Charles I. created him a Peer of Scotland by the title of LORD BANFF, with a limitation to his heirs-male, bearing the name and arms of Ogilvy.[4] The King also gave him 10,000 merks to repair his losses.[5] While the Covenanters remained in power Lord Banff was a constant object of suspicion to the authorities. A warrant for his apprehension was issued, and he was ordered to appear before the committee of Parliament.[6] He entered heartily into the Engagement for the restoration of the King, attended the Parliament held in 1648, and was placed on the Committee of War for Banff,[7] for all which he was compelled to make public repentance before the presbytery of Fordyce.[8] In 1654 he was fined by the usurper £1000 sterling, which exorbitant sum was afterwards reduced by two-thirds.[9] He was present in Parliament 18 June 1663,[10] and died 11 August in that year.[11]

He married, first, Margaret, daughter of Alexander Irvine of Drum,[12] and had a daughter—

[1] Spalding's *Trubles*, i. 209. [2] Gordon's *Hist.*, iii. 253. [3] *Ibid.* [4] *Reg. Mag. Sig.* [5] Gordon's *Hist.*, iii. 253. [6] *Acta Parl. Scot.*, vi. pt. i. 14*a*, 23*a*, 98*a*, 133. [7] *Ibid.*, 816*a*; *ibid.*, vi. pt. ii. 4*a*. [8] *Annals of Banff*, ii. 32. [9] *Acta Parl. Scot.*, vi. pt. ii. 820*a*, 846*b*. [10] *Ibid.*, vii. 446*b*. [11] *Banff Retours.* [12] Ms. Hist. of Irvines of Drum, 129.

1. *Helen*, who was married, contract dated 20 and 25 March 1629,[1] to James, Master of Ogilvie, afterwards second Earl of Airlie, and had issue. (*See title* Airlie.)

He married, secondly, Janet, daughter of William Sutherland of Duffus. On 30 July 1629 she complained to the Privy Council of her husband's cruelty to herself and her children, and on that day Sir George was bound under caution of 3000 merks to keep the peace towards Lady Banff and her children, and towards James Sutherland, tutor of Duffus, brother of Lady Banff.[2] By his second wife he had four children.[3]

2. GEORGE, second Lord Banff.
3. *Margaret*, married to John Lyon of Muiresk, representative of Culmalegy,[4] cadet of Glamis.
4. *Jean*, married to Gordon of Badinscoth.[5]
5. *Mary*, married, first, contract dated 9 and 20 November 1649,[6] to Walter Innes of Auchluncart; secondly, contract dated December 1701, to Alexander Sutherland of Kinminity.[7]

II. GEORGE, second Lord Banff, was on 29 October 1663, served heir to his father in the baronies of Inchdrewer and Montbray,[8] and on 24 September 1664 in lands in the parish of Gamrie.[9] He represented Nairnshire in the Parliament held at Edinburgh 4 June 1644.[10] Like his father he was an adherent of King Charles I., and was under caution for £42,000 that he should appear before the Committee of Parliament when called on, to answer for his behaviour in public affairs.[11] He was colonel of the Foot levied in Banff in the year of the Engagement,[12] and on the Committee of War for the county.[13] In 1650 he was again colonel of the Foot regiment raised in Banff in support of Charles II.,[14] for whom he fought at Worcester, and escaped from that conflict. In 1661 he was engaged in a dispute with Mr. John Gordon of Barrallmad regarding a piece of land in the

[1] *Carnegie Book*, ii. 129. [2] *P. C. Reg.*, 2nd series, iii. 260, 264. [3] *Part. Reg. of Sas.*, *Banff*, 2 June 1628. [4] *Banff Sas.*, i. 454. [5] Wood's *Douglas*. [6] *Banff Sas.*, vi. 42. [7] *Ibid.*, v. 151. [8] *Banff Retours*, 115. [9] *Ibid.*, 118. [10] *Acta Parl. Scot.* [11] *Ibid.*, VI. i. 754. [12] *Ibid.*, ii. 55. [13] *Ibid.*, 36. [14] *Ibid.*, 623, 625; *Correspondence of Earls of Ancrum and Lothian*, 321.

vicinity of Banff. The parties met on the ground, and Mr. John advancing 'with a stroak of intention to have killed the Master of Banff, George Buchan, one of the companie, holding out a rapier in his oune defence and in defence of the Master of Banff's life, the said Mr. Johne advanceing with the said stroak, as said is, did thrust his bellie vpon the poynt of the rapier, which occasioned the said Mr. Johne Gordoun's death.'[1] Banff craved a precognition instead of a trial, on the ground that Gordon's death was accidental, and after one prorogation of the diet no more is heard of this singular suicide.[2] On 29 October 1663 he was admitted a burgess of Banff.[3] Lord Banff was present in the Parliament of 1667, when £72,000 a month was voted as a supply to the King for the maintenance of a standing army, and he was one of the first Commissioners of Supply for the county.[4] He died in March 1668,[5] having married Agnes, only daughter of Alexander, first Lord Falconer of Halkerton,[6] and had issue:—

1. GEORGE, third Lord Banff.
2. *Sir Alexander* of Forglen, of whom afterwards.
3. *Jeane*, baptized 5 January 1651.[7]
4. *Agnes*, baptized 29 December 1651,[8] married to Francis Gordon of Craig of Auchindoir.[9]
5. *Margaret*, baptized 8 October 1654,[10] died unmarried.[11]
6. *Helen*, married, 25 April 1694, to Sir Robert Lauder of Bielmouth, Clerk of Exchequer, who died June 1709.[12] She died 9 January 1714, leaving two sons, Robert and George.[13]
7. *Mary*, married, contract dated 1 June 1680,[14] to John Forbes of Balflugg, cadet of Leslie, cadet of Monymusk.[15]
8. *Isobel*.
9. *Marjory*.
10. *Janet*, a posthumous child, born at Inchdrewer 1668,

[1] *Acta Parl. Scot.*, vii. 22. [2] *Ibid.*, 234. [3] *Annals of Banff.* [4] *Acta Parl. Scot.*, vii. 543*b*. [5] Wood's *Douglas.* [6] *Ibid.* [7] Fordyce *Reg. of Baptisms.* [8] *Ibid.* [9] Wood's *Douglas.* [10] Fordyce *Reg. of Baptisms.* [11] Agnes, Margaret, Helen, Mary, Isobel, Marjory, and Janet (posthumous), all named in *Gen. Reg. of Hornings*, 16 March 1687, where their mother is named 'Agnes' Falconer. She is also designed Agnes, Lady Banff, in the Banff *Reg. of Baptisms*, 19 May 1670, but in her Funeral entry in the Lyon Office she is called Grisel. [12] *Edin. Test.*, 9 February 1710. [13] *Ibid.*, 20 July 1714. [14] *Aberdeen Sasines*, x. 458. [15] Macfarlane's *Gen. Coll.*, i. 285.

married, contract dated 16 June 1694, to John Leith of Leithhall, and had issue.[1] She died in July 1743.[2]

III. GEORGE, third Lord Banff, was baptized 9 September 1649,[3] and on 10 September 1668 was served heir to his father in the baronies of Inchdrewer and Montbray.[4] In the same year he was admitted a burgess of Banff.[5] From 1670 onwards his name appears in the list of barons present in Parliament,[6] but his attendance ceased at the Revolution, and in 1693 he was fined £1200 for absence from their Majesties service in Parliament.[7] Lord Banff's family had changed its faith at the alteration of religion within the kingdom in Queen Mary's reign.[8] Lord Banff, it appears, returned to the ancient faith and resided for some time in Ireland.[9] He reverted to Protestantism, and the first intimation of his reconversion is thus referred to in a letter from Mr. William Hunter, minister at Banff, to Mr. Secretary Carstairs, of 11 July 1705: 'My Lord Banff upon declaring himself a Protestant has a mind to go south to take his place in Parliament, and withal because his circumstances require it, his lordship requires your kind influence for his encouragement that he may undertake his journey.'[10] On 3 October 1706 it was moved in Parliament that he, 'sometime Papist, being now Protestant, and willing to sign the formula subjoined to the Act of Parliament in November 1700, may be admitted.' Accordingly he signed the formula against popery, took the oath of allegiance, and voted steadily with the ministry for the Union with England.[11] In 1708 he was indicted for shooting a pistol at a bailie of Banff.[12] He was killed in a fire which destroyed his house of Inchdrewer in November 1713, his death being regarded by some of his Protestant neighbours as a judgment for his change of faith, and attributed by others, also Protestants, to foul play.[13]

He married, contract dated 22 and 23 September 1669,[14]

1 *Aberdeen Sasines*, xiv. 500; *The Thanage of Fermartyn*, 37. 2 *Scots. Mag.* 3 Fordyce *Reg. of Baptisms.* 4 *Banff Retours*, 125. 5 *Annals of Banff.* 6 *Acta Parl. Scot.*, viii. 231, 238, 468, App. 1, 10, 20. 7 *Ibid.*, ix. 251. 8 See the curious petition of Sir George Ogilvy of Banff in 1631 for delivery of Popish vestments; *P. C. Reg.*, 2nd series, iv. 247. 9 *New Statistical Account.* 10 *State Papers and Letters*, 736. 11 *Acta Parl. Scot.*, xi. 305, 314, 319, 321, 422. 12 *Annals of Banff.* 13 *New Statistical Account.* 14 *Gen. Reg. of Sas.*, xxiii. 331.

Jean, third daughter of William, seventh Earl Marischal, who raised an action of adherence and aliment against her husband, and on 17 February 1685 was awarded 2000 merks per annum.[1] Their children were:—

1. George, fourth Lord Banff.
2. *Anne.*[2]
3. *Isobel*, in whose favour her brother George, Master of Banff, executed a bond of provision for £3000 on 26 September 1696.[3] She was married 16, contract dated 8, January 1722, to George Barclay, merchant in Banff.[4]
4. *Mary*, born 3 March 1679,[5] and married, first, in 1714, to John Joass, younger of Colleonard, who died before 7 November 1718,[6] with issue;[7] secondly, in 1723, as his second wife, to the Reverend William Hunter, formerly minister of Banff.[8] She died at Banff, 20 April 1756, aged seventy-eight.[9]

IV. George, fourth Lord Banff, was baptized at Banff 4 August 1670.[10] In 1690, George, third Lord, disponed his lands to his son and heir George, Master of Banff, and a charter under the Great Seal followed 26 February 1697.[11] Succeeded his father in 1713, married, 11 January 1712, Helen, daughter of Sir John Lauder of Fountainhall, Lord of Session. The spouses had a charter under the Great Seal of Inchdrewer, 26 July 1712.[12] He died before 12 January 1718,[13] and had by Helen Lauder (who was married, secondly, on 27 June 1721, to Alexander Gordon of Glengerrack,[14] and, thirdly, to James Hay, merchant in Banff, second son of James Hay of Rannes, with issue; she died 22 October 1742:[15]—

1. *George*, baptized 20 February 1714,[16] died in infancy.
2. *George*, baptized 28 November 1715,[17] died in infancy.
3. John George, fifth Lord Banff.
4. Alexander, sixth Lord Banff.

V. John George, fifth Lord Banff was born 18 February

[1] *P. C. Decreta*; Fountainhall's *Hist. Notices.* [2] Anne, Isobel, Mary mentioned in this order in *Banff Inhibitions*, 26 February 1706. [3] Inv. of Writs, *penes* Sir William Fraser's Trustees. [4] *Banff Reg. of Marriages.* [5] *Banff Reg. of Baptisms.* [6] *Ibid.*, 7 November 1718. [7] *Ibid.* [8] *Ibid.*, 11 May 1723. [9] *Scots. Mag.* [10] *Reg. of Baptisms.* [11] Inv. *penes* Sir William Fraser's Trustees. [12] *Ibid.* [13] *Reg. of Baptisms, Banff.* [14] *Reg. of Marriages, Banff.* [15] *Admon. Act Book*, 1750, Somerset House. [16] *Reg. of Baptisms.* [17] *Ibid.*

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1717, and succeeded his father 1718. Married, at the Fleet, London, 18 August 1735, Mary, daughter of Captain James Ogilvie.[1] He was drowned, 29 July 1738, when bathing with Lord Deskford, afterwards sixth Earl of Findlater, at the Black Rocks near Cullen,[2] and was buried at Banff, 1 August 1738.[3] His widow married, secondly, the Rev. Thomas Kemp, D.D., Rector of St. Michael's, Crooked Lane, London. Lord Banff dying without issue was succeeded by his brother.

VI. ALEXANDER, sixth Lord Banff, who was a posthumous child, baptized at Banff 12 July 1718, his godfathers being Sir Alexander Ogilvy of Forglen, and his son Captain Alexander Ogilvy.[4] He entered the Navy, and attained the rank of captain 13 February 1741, when he was appointed to the command of the *Hastings* man-of-war.[5] During his short naval career he distinguished himself by the capture of several valuable prize ships, including a rich outward-bound Spanish register ship *Nostra Signora del Assumpcion*, a Spanish privateer of 24 guns, which he sunk; a French pole-acre, the *St. Jean*, from Vera Cruz for Cadiz, with 130,000 pieces of eight; the *Nostra Senora del Rosaria*, *St. Antonio y las Animas*, and two heavily-armed Spanish privateers.[6] As a result the freedom of the City of Glasgow was, in 1743, given him in a silver box 'as a testimony of regard for the great services done his country by protecting the trade thereof.'[7] He was appointed to the command of the *Tilbury* of 60 guns in August 1745,[8] and was in command of her when his death occurred at Lisbon 7 December 1746.[9] On 22 April 1747 his aunt, Mrs. Mary Ogilvie, widow of John Joass of Colleonard, was declared his executrix-dative as nearest of kin.[10] On 5 July 1750 letters of administration were granted to Charles Hay, their uncle and curator, on behalf of Charles, James, and William Hay, brothers by the half blood and only next of kin of Alexander.[11] He was succeeded in his title and heritage by Alexander Ogilvy of Forglen, descended from—

[1] Brim's *History of the Fleet Marriages*, 1834, 116. [2] *Statistical Account*. [3] *Reg. of Deaths, Banff*. [4] *Reg. of Baptisms, Banff*. [5] *Scots Mag.*, 1741. [6] *Ibid.*, 1742, 141; 1743, 342, 428, 526. [7] *Edinburgh Evening Courant*, 24 October 1743. [8] *Scots Mag.* [9] *Reg. of Deeds*, clxix. He was buried 10 May 1747, at St.-Martins-in-the-Fields. [10] *Edin Com. Reg.* [11] *Reg. of Admon.*, Somerset House.

Sir Alexander Ogilvy of Forglen, second son of George, second Lord Banff. From 1678 he was a Commissioner of Supply for the county of Banff.[1] In 1699 he was appointed principal warden of the Mint and Cunziehouse, with a salary of £1200 Scots, increased in 1700 to £1800 Scots,[2] and was created a Baronet of Nova Scotia 24 June 1701. In that year he was elected member of Parliament for the town of Banff on condition 'that sheriff courts continue to be kept there in all time coming as the head burgh of the shire.'[3] In 1702 he and Sir James Elphinstone of Logie were appointed Receivers General.[4] He took an active part in the work of Parliament, being elected a member of the committee on public security and trade.[5] He voted steadily for the Union with England.[6] Although not a lawyer, he was appointed a Lord of Session 25 March 1706, and held the post until his death.[7] He had a charter under the Great Seal, 21 December 1702, of the lands of Todlaw, in the parish of Forglen.[8] He had an amusing litigation with Sir Alexander Forbes of Tolquhoun, regarding a gilded mazer cup, alleged by Tolquhoun to have been stolen from him by Forglen. It was at length discovered that Tolquhoun himself had some years previously given the cup to a goldsmith in Aberdeen to be repaired, and having forgotten the circumstance, 'it was lying there unrelieved for not paying a half-crown for it.' Forglen brought an action for defamation, and Tolquhoun was fined 20,000 merks, one half to go to the Crown, the other half to Forglen. The Crown remitted its share of the fine, but Forglen appears not to have been so complaisant.[9] He was a member of the committee to inspect the University of Aberdeen in 1716.[10] He died 30 March 1727.[11] He married, first, Mary, born 18 August 1663, marriage-contract dated 17 November 1681,[12] eldest daughter of Sir John Allardice of that Ilk in Kincardineshire, and had issue:—

1. *George*, appointed Queen's Limner for Scotland 3 Nov-

[1] *Acta Parl. Scot.*, viii. 227; ix. 145. [2] *Privy Seal Reg.*, v. 309, 374. [3] *Annals of Banff*, i. 171; *Parliamentary Return*, 592. [4] *Privy Seal Reg.*, vi. 60, 145, 228. [5] *Acta Parl. Scot.*, xi. App. 4, 14, 222, 294. [6] *Ibid.*, Text, 314, 321, 422. [7] Brunton and Haig. [8] Inventory of Writs, *penes* Sir William Fraser's Trustees; *Acta Parl. Scot.*, xi. 270. [9] Brunton and Haig, 483-4. [10] *Fasti Aberdonensis*, 387. [11] *Edin. Test.*, 26 July 1727. In the Greyfriars *Reg. of Interments* his death is said to have taken place on 31 March. [12] *Banffshire Sasines*, iii. 350.

ember 1703, at a salary of £100 sterling per annum.[1] In the grant he is said to have had a good education, but he laboured 'under the infirmitie of the inteire loss of his hearing,' and the grant also notes his 'natural inclination and great proficiency in the airt of limning, drawing, and painting.' He married, on 19 February 1710, Jean, daughter to Patrick Meldrum of Leathers, relict of Sir Alexander Innes of Coxtoun.[2] He died June 1723, his sister-german, Mary, being decerned his executrix-dative as nearest of kin.[3]

2. *Alexander Ogilvy*, younger of Forglen, was with his father a witness to the baptism of Alexander, sixth Lord Banff, the posthumous child of George, fourth Lord Banff, on 12 July 1718.[4] He predeceased his father, having married, 7 August 1714, Jane, daughter of Benjamin Frend of Ballyrehy, King's County, Ireland.[5] By her, who afterwards married Archibald Campbell of Stonefield, he had issue:—
   (1) ALEXANDER, seventh Lord Banff.
   (2) *Bridget*.[6]
3. *Mary*, died unmarried 1738, her sister-german, Agnes, being her executor.[7]
4. *Agnes*, married, 28 January 1705, to Sir Alexander Reid, second Baronet of Barra (who acted as executor of his father-in-law Sir Alexander in 1727),[8] with issue.
5. *Ann*, married to Andrew Hay of Mountblairy, Banffshire, W.S., with issue.[9] She died May 1719, aged twenty-five.[10]
6. *Helen*, married 13 March 1712, to James Smollett, son and heir to James Smollett of Bonhill.
7. *Margaret*, born 12 March 1700.

Sir Alexander, married, secondly, 18 January 1702, Mary Lesly, second daughter of David, first Lord Newark, widow of Sir Francis Kinloch of Gilmerton.[11] She died *s. p.* at Edinburgh, 24 March 1748.[12]

[1] *Reg. Sec. Sig.*, vi. 189. [2] Wood's *Douglas*. [3] *Aberdeen Test.*, 1724. [4] *Reg. of Baptisms*, Banff. [5] Ms. Pedigree, Office of Arms, Dublin. [6] *Ibid.* [7] *Aberdeen Test.*, 1738. [8] *Edin. Test.*, 1727. [9] W.S. List. [10] *Greyfriars Interments*, May 1719. [11] Edin. *Reg. of Marriages*. [12] Her *Funeral Escutcheon* in Lyon Office.

VII. Alexander, seventh Lord Banff, succeeded his grandfather in the estate and baronetcy in 1727.[1] In 1747 he had a pension of £200 stg.[2] per annum. Served heir-male general and heir-male special in the barony of Inchdrewer, to his cousin George, fourth Lord Banff, 19 February 1750.[3] He married at Edinburgh, on 2 April 1749, Jean, daughter of William Nisbet of Dirleton, and died, 1 December 1771,[4] at Forglen, where his widow also died, 29 August 1790.[5] They had issue:—

1. *Alexander*, Master of Banff, who died 1763.
2. William, eighth Lord Banff.
3. *Archibald*, died 1763.
4. *David*, admitted a burgess of Banff 1779.[6] Cornet in the Fourth Dragoons 1779, lieutenant 1785, captain 1793;[7] died at Clifton 10 August 1796.
5. *Jean*, married to Sir George Abercromby of Birkenbog.
6. *Sophia*.
7. *Janet*, married, 9 October 1797, to the Reverend John Willison, minister of Forgandenny. She died at Kinnoull, 24 October 1835, aged eighty-two.[8]
8. *Mary*, married, 23 August 1780, to Alexander Murray of Aytoun. She died December 1789.
9. *Grace*, married to Mr. Douglas.

VIII. William, eighth Lord Banff. On 16 March 1774 served heir-male of line and provision special in the barony of Forglen and Whitefield, in the barony of Inchdrewer, to his father Alexander, seventh Lord Banff.[9] Cornet in the Sixth or Inniskilling Regiment of Dragoons 1773, lieutenant 1778, captain 1780,[10] and quitted the army in 1794, after having served on the Continent under the Duke of York as senior captain in his regiment.[11] He died at Forglen, 4 June 1803,[12] when his estates went to his sister Lady Abercromby, and the Peerage became extinct or dormant. In 1812, and

[1] *Services of Heirs*. [2] King's *Warrant Book*, Pub. Rec. Office, xxxvii. 128. [3] *Services of Heirs*, 1750-59. [4] *Edinburgh Evening Courant*, Wednesday, 4 December 1771. [5] *Ibid.*, Thursday, 2 September 1790. [6] *Annals of Banff*, ii. 427. [7] Army Lists. [8] *Fasti Eccl. Scot.* Scott calls Janet the third daughter. [9] Services of Heirs, 1770-79. [10] Army Lists. [11] Old *Statistical Account* of the Parish of Forglen. [12] *Edinburgh Evening Courant*, Saturday, 11 June 1803.

again in 1819, Sir William Ogilvy of Boyne, as the descendant and heir-male of George Ogilvy of Boyne, elder brother of Sir Walter Ogilvy of Dunlugus, the great-grandfather of the first Lord Banff,[1] petitioned the King for the dignity of Banff, but no proceedings seem to have been taken on the claim.

CREATION.—31 August 1642, Lord Banff.

ARMS.—Not recorded in Lyon Office, but given by Nisbet as—Quarterly, 1st and 4th argent, a lion passant guardant gules crowned or, for *Ogilvie*; 2nd and 3rd argent, three papingoes vert, beaked and membered gules, for *Home*.[2]

CREST.—A lion's head erased gules.

SUPPORTERS.—Dexter, a man in armour with a target, proper; sinister, a lion rampant gules.

MOTTO.—*Fideliter*.

[A. R.]

[1] *House of Lords Journals*, v. 48, p. 920; v. 52, p. 790. [2] These are the Pepdee quarterings of the Home arms.

HAMILTON, LORD BARGANY

SIR JOHN HAMILTON of Lettrick, natural son of John, first Marquess of Hamilton (*see that title*), obtained a legitimation under the Great Seal, 22 December 1600, and acquired considerable estates. He had a charter of confirmation to himself, and Jean Campbell his wife, of the castle of Kinclevin, in Perthshire, 25 May 1608.[1] He had a charter 15 June 1624,[2] of the lands of Bargany, from whence he took his ultimate designation, Carlock, and other lands in Ayrshire. He died soon after 1637. By his wife, Jean, daughter of Alexander Campbell, Bishop of Brechin, of the Ardkinglass family, he had issue:—

1. SIR JOHN.
2. *William*.[3]
3. *Thomas*.[4]
4. *Catherine*, married to Sir John Drummond of Machany, second son of James, first Lord Maderty.
5. *Helen*, married to Sir James Somervile of Cambusnethan.
6. ——, married to Sir William Vere of Stonebyres.
7. *Mary*, married to Alexander Cleland of Cleland.

[1] *Reg. Mag. Sig.* [2] *Ibid.* [3] Retours General, 3131. [4] *Ibid.*

I. SIR JOHN HAMILTON, the eldest son, had the designation of Carriden in the lifetime of his father,[1] to whom he was served heir 23 April 1642.[2] He had previously been created a Peer of Scotland under the title of LORD BARGANY, 16 November 1641,[3] with limitation to the heirs-male of his body. Lord Bargany was a supporter of the royal cause, and having raised a regiment of Foot he accompanied the first Duke of Hamilton in his unfortunate expedition into England in 1648, where, the Duke being defeated, he and Lord Bargany were taken prisoners. He was carried to Ashby and other places in England, where he was detained a prisoner for a year. Later Lord Bargany went over to the Netherlands to attend his Majesty, and from there he was sent to Scotland to assist in raising forces for the King's restoration. When Charles marched with his army into England in 1651 he sent Lord Bargany to the north of Scotland to procure maintenance for his army and to raise a second levy. After the defeat of Charles and his forces Lord Bargany was taken prisoner at Elliott in Perthshire 28 August 1651,[4] carried to London and imprisoned in the Tower for about a year.[5] Cromwell excepted him out of his Act of Grace and Pardon 12 April 1654. He died April 1658.[6] Lord Bargany married, 1632,[7] Jean Douglas, second daughter of William, first Marquess of Douglas. She died 1669.[8] They had issue:—

1. JOHN, second Lord Bargany.
2. *Major William*, married,[9] 3 April 1662, Mary, daughter of Sir Patrick Hay of Pitfour, relict of George Butter of Clashbenny.
3. *Margaret*, married, first, to John Kennedy of Culzean, who died 1665; secondly, in 1667,[10] to Sir David Ogilvy of Clova, and had issue by both.
4. *Anna*, married to Sir Patrick Houston, in the county of Renfrew, Bart., and died April 1669.[11]
5. *Grizel.*
6. *Marjory*, married, 7 October 1671, to William Baillie of

[1] *Reg. Mag. Sig.*, 21 December 1637. [2] Retours General, 2673. [3] Diploma of John, Lord Bargany (at Bargany), Bargany MSS. [4] *Scotland and the Commonwealth*, Scot. Hist. Soc., 9. [5] Bargany MSS. [6] Record of Retours, MS. Ayrshire, xxvi. 332. [7] Bargany MSS. [8] Edin. Tests., 23 December 1669. [9] Lamont's *Diary*, 145. [10] Cortachy MSS. [11] Glasgow Tests., 5 July 1669.

Lamington,[1] and had a son William, who died in his seventeenth year.

7. *Hon. Katharine Hamilton*, married (marriage-contract December 1676) to William Cuningham of Enterkine, in Ayrshire, and had issue. She died 11 January 1741.[2]

II. John, second Lord Bargany, was served heir to his father 17 October 1662.[3] Being obnoxious to the ministers of King Charles II., he was imprisoned in Blackness Castle in November 1679, and from there removed to Edinburgh, where, on 24 February 1680, he was served with an indictment for high treason, bearing that in 1674 or 1675 he, with great oaths and execrations, did curse some of the chief nobility of the kingdom, because they would not make themselves the head of the fanatics, and swore that they would never signify anything because they had lost that opportunity; and because the Duke of Lauderdale had, by his extraordinary care, prudence, and loyalty, defeated the designs which he and the said fanatics were managing for disturbing the government of the church and state, he did, in 1677 or 1678, publicly regret that the English or fanatics did not kill or assassinate his Grace, and did hound out others to assassinate him; that in 1675 or 1676 he did endeavour to persuade George Martin, notar in Dailly, that the fanatics would never get their business done while the Duke of Lauderdale was alive, and that a hundred men would do more by assaulting him in his own house at Lethington than all they could do beside: Likeas, Mr. John Welsh, a factious trumpet of sedition and treason, having made a trade of convocating the subjects in field-meetings, he did correspond with him, and having directed a letter to him, while he and his accomplices were contriving another rebellion, he did send the same to Sauchill, by his own servant, in May or June last, which being read at the said convocation did encourage that rebellion: that he corresponded with Cunningham of Bedlan, desiring him to repair to the westland army, and persuaded all gentlemen and others to join them, since he and persons of far greater

[1] *Lives of the Baillies*, 44. [2] *Caledonian Mercury*. [3] Retours, Ayrshire, 525.

quality would do the same: that he gave no notice of his tenants who had been in that rebellion, but did entertain notour rebels in his house: that he did publicly maintain the principles of Naphtali, Jus Populi, Lex Rex, declaring that Scotland would never be well till it wanted episcopacy, and the present government of the Church were destroyed, as unfit for the nation; and in October or November last did openly declaim against the sacred order and function of episcopacy, swearing he would never be in peace till the curates were rooted out, and that they were all but knaves and rogues.[1]

This indictment was not brought to trial for want of evidence. The King, on the 11th of May 1680, issued a letter to his Privy Council in Scotland, bearing that he had received a petition from Lord Bargany representing his father's loyalty and sufferings, asserting his innocence of the crimes he was indicted for, and attesting God thereupon; and his Majesty, being unwilling he or any of his subjects should receive prejudice by long imprisonment, till there appears evident proof of their guilt, required him to be liberated under proper caution to appear in order to trial, if hereafter sufficient proofs of his guilt should be found. The Council, 3 June, issued an act in terms of that letter, but on the fourteenth of that month the advocate offered an additional libel, that in May or June last year Lord Bargany, hearing of the murder of Archbishop Sharp, said it was happy, for he was a great enemy to the cause of God and his people, and the Church of Christ. Lord Bargany was, notwithstanding, released from confinement in the Castle of Edinburgh, on finding security in 50,000 merks to stand trial.

After he was at liberty he discovered by diligent investigation that Cunningham of Montgrenan and his servant, two of the prisoners taken at Bothwell, were suborned by Sir Charles Maitland of Hatton and Sir John Dalrymple, to give false evidence against him.[2] Their depositions, which also affected the Duke of Hamilton, were prepared beforehand, and they were promised a share of the confiscated estates, but as the trial approached, their conscience

[1] Wodrow's *Church of Scotland*, iii.; Howell's *State Trials*, ii. [2] Bargany MSS.

revolted against the crime. Bargany's evidence was ready to be produced before Parliament, 28 July 1681, but the Duke of York interposed to prevent inquiry. Lord Bargany entered heartily into the Revolution, and raised a regiment of six hundred Foot for the public service. He died, 15 May 1693, at ten at night,[1] and was buried at Ballantrae, Ayrshire.[2]

Lord Bargany married, first, in 1662, Margaret Cunningham, second daughter of William, ninth Earl of Glencairn, Lord High Chancellor of Scotland, by whom he had:—

1. *John*, Master of Bargany, who died, before his father, 1690, and was buried, 27 March, at St. Giles' Church, Edinburgh;[3] he married, 19 June 1688,[4] Jean, daughter of Sir Robert Sinclair of Longformacus, Bart.; she died 12 December, and was buried, 16 December 1700, in New Church (St. Giles').[5] They had one daughter:—

(1) *Johanna*, born 1690,[6] heiress of Bargany. She married, 20 March 1707, Sir Robert Dalrymple of Castleton, Knight, eldest son and heir-apparent of the Hon. Sir Hew Dalrymple, Bart., of North Berwick, Lord President of the Court of Session (died 1734), and had issue:[7]—

i. *Hew*, born 12 March 1712, succeeded as second Baronet of North Berwick, died 23 November 1690. He married, contract 15 July 1743, Margaret, daughter of —— Sainthill, Garlickhill,[8] and by her, who died 31 December 1747, had issue. (*See title* Stair.) He married, secondly, 17 August 1756, Martha Edwin of Savile Row.[9]

ii. *John*, born 4 February 1715, took the name and arms of Hamilton of Bargany, on the estates being adjudged to him by a decision of the House of Lords, died 12 February 1796.[10] He married, first, Anne, third daughter of James, fourth Earl of Wemyss, marriage-contract 25 April 1746,[11] by whom he had no issue; secondly, marriage-contract 4 July 1769, Margaret Montgomery, sister of Hugh, twelfth Earl of Eglinton,[12] also without issue. She died 25 October 1798.[13]

iii. *Robert*, born 30 July 1716, married, 22 July 1745, Jean

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[1] Record of Retours, MS. xliii. 355. [2] Bargany MSS. [3] Funeral entry, Lyon Office. [4] Edinburgh Register. [5] Funeral entry, Lyon Office. [6] Canongate Register. [7] The date of Johanna Hamilton's marriage to Sir Robert Dalrymple, and the dates of births of their children are from entries in Bible at Bargany. Johanna died 1719 (Bargany MSS.). [8] *Scots Mag.* [9] *Ibid.* [10] Dailly Par. Register. [11] *Memorials of the Family of Wemyss of Wemyss*, by Sir W. Fraser. [12] Fraser's *Memorials of the Montgomeries*, i. 148. [13] *Caledonian Mercury.*

Barclay, heiress of Towie,[1] daughter of Sir Alexander Innes or Barclay, Bart. She died May 1746.[2]
iv. *James*, born December 1717, died soon thereafter.
v. *Marion*, born 6 March 1708, died December 1740, married, 1732, to Donald, fourth Lord Reay.
vi. *Jean*, born 1709, died three years thereafter.
vii. *Elizabeth*, born 3 May 1713, died 24 April 1781, married to William Duff of Crombie, Sheriff-Depute of Ayrshire, who died 8 January 1781.[3]

2. William, third Lord Bargany.
3. *Nicolas*, married, April 1690, to Sir Alexander Hope of Kerse, Bart., and had a son, Sir Alexander Hope of Kerse.

Lord Bargany married, secondly, in 1676, Alice Moore, eldest daughter of Henry, first Earl of Drogheda, dowager of Henry, second Earl of Clanbrassil. She died at Roscommon House, Dublin, 25 December 1677,[4] without issue.

III. William, third Lord Bargany, succeeded his father 1693, was appointed a captain in his father's regiment 1689.[5] He took the oaths and his seat in Parliament 9 May 1695, exerted himself in opposition to the Treaty of Union, and died July 1711.[6]

Lord Bargany, married, first, Mary, born 20 June 1677, eldest daughter of Sir William Primrose of Carrington, sister of the first Viscount Primrose, by whom he had issue:—

1. *John*, born 22 March 1696,[7] died young.
2. *Grizel*, married, 15 February 1713,[8] as his second wife, to Thomas Buchan of Cairnbulg, advocate, and had issue:—

(1) *Mary*.
(2) *Anne*,
(3) *Nicolas*, married to Thomas Buchan of Auchmacoy, and had issue.

Lord Bargany married, secondly, contract dated 6 August 1708,[9] Margaret, eldest daughter of Robert Dundas of Arniston, a Lord of Session, sister of the first President Dundas. She died 30 March 1717, and had issue:—

3. James, fourth Lord Bargany.

[1] *Scots Magazine*. [2] Edinburgh Tests. [3] Inscript. on tombstone at Ayr. [4] Bargany MSS. [5] *Ibid.* [6] Glasgow Tests., 16 March 1750. [7] Dailly Register. [8] Edinburgh Register. [9] Arniston MSS.

IV. JAMES, fourth Lord Bargany, was born 29 November 1710, succeeded his father 1711. He travelled abroad for a time, as appears from Hamilton of Bangour's epitaph on the companion of his travels—

> 'With kind Bargeny, faithful to his word,
> Whom heaven made good and social, though a lord,
> The cities view'd of many languaged men.'

He died, unmarried, at Edinburgh, on 28 March 1736, in the twenty-sixth year of his age, and was buried, 5 April, in the Abbey Church of Holyrood House,[1] when the title became extinct.

CREATION.—Lord Bargany, 16 November 1641.

ARMS.—Stated by Nisbet to have been:—Quarterly, 1st and 4th gules, three cinquefoils ermine, for *Hamilton*; 2nd and 3rd argent, a ship sails furled sable, for *Arran*; all within a bordure compony argent and azure, the first charged with hearts gules, and the second with mullets of the first.

CREST.—A crescent gules.

SUPPORTERS.—Dexter, an antelope argent, collared gules, charged with three cinquefoils ermine; sinister, a savage proper with a shoulder-belt gules charged with cinquefoils ermine and wreathed about the head and middle with laurel vert, holding in his left hand a garb or.

MOTTO.—*J'espère.*

[H. H. D.]

[1] Register of Burials, Chapel Royal, Holyrood House.

BARRET, LORD BARRET OF NEWBURGH

SIR EDWARD BARRET, of Belhouse, or Belhus, in the parish of Aveley, co. Essex, son and heir of Charles Barret (who was son of Edward Barret of Belhus, and died *v. p.* 1584), by Christian, daughter of Sir Walter Mildmay, of Apethorpe, co. Northampton, Knt.,[1] was born about 1580, succeeded his grandfather Edward Barret in the estate of Belhus 1586. Knighted at Newmarket, 17 April 1608.[2] Ambassador to France 1625. Was created by Charles I. a Peer of Scotland, by the title of LORD BARRET OF NEWBURGH, co. Fife,[3] by patent, dated at Whitehall 17 October 1627, to himself and the legitimate heirs-male of his body, bearing the name and arms of Barret.[4] He was a year afterwards created a Baronet of Nova Scotia.[5] Was Chancellor of the Exchequer 1628, and was also

[1] By Charles Barret she had, besides Sir Edward Barret, Lord Barret of Newburgh, a son Walter Barret, who died *s. p.*, and two daughters, Dorothy, wife of Charles, second Lord Stanhope of Harrington, and Anne, wife of Sir Robert Harley, Knight of the Bath. She married, secondly, Sir John Leveson, Knight, of Halling, co. Kent, by whom she had issue. [2] Metcalfe's *Book of Knights*. [3] He was frequently styled 'Lord Newburgh,' and his will is signed 'E. Newburgh.' [4] *Reg. Mag. Sig.*, 20 June 1628. [5] *Complete Baronetage*, by G. E. C.

Chancellor of the Duchy of Lancaster. He died without surviving issue, and was buried at Aveley, 2 January 1644-45, when the Peerage became extinct. By his will, dated 17 March 1643-44, and proved 7 February 1645-46,[1] he devised the manor of Belhus, and all his lands in Essex, upon trust for his distant kinsman Richard Lennard,[2] of Horsford, Norfolk, son of Richard, Lord Dacre, by his second wife Dorothy, daughter of Dudley, Lord North, on condition that he should assume the name of Barret. Lord Barret of Newburgh married, first, 17 October 1627, Jane, daughter of Sir Edward Cary, of Aldenham, co. Herts, and sister of Henry, first Viscount Falkland (by whom he had a daughter Catherine, who died an infant). She died, aged thirty-eight, and was buried at Aveley, 2 January 1632-33. He married, secondly, Catherine, widow of Hugh Perry, Alderman of London, and daughter of Hugh Fenn of Wotton-under-Edge, co. Gloucester, but by her he had no issue. She married, thirdly, 29 September 1623, William Morgan, her steward, and was living as his wife 19 October 1664.

Creation.—Lord Barret of Newburgh, 17 October 1627.

Arms.—Party per pale argent and gules, barry of four pieces counterchanged.

Crest.—A hydra, proper.

Supporters.—Two lions or, collared per pale argent and gules.

[H. W. F. H.]

[1] *P. C. C.*, 15 Twisse. [2] Richard Lennard was descended from the second marriage of Lord Barret's great-grandmother, Elizabeth, daughter of Thomas Dinely, wife, first, of George Barret, and secondly, of Sir John Baker, of Sissinghurst, co. Kent, Knight. He was Sheriff of Essex 1679, and died at Belhus 1696. His great-grandson, Thomas Barrett-Lennard, seventeenth Lord Dacre, left the estate of Belhus to his illegitimate son, afterwards Sir Thomas Barrett-Lennard, first Baronet.

DOUGLAS, VISCOUNT BELHAVEN

ROBERT DOUGLAS, of Spott, in the county of Haddington, third son of Malcolm Douglas of Mains, was Page-of-honour to Henry, Prince of Wales, and afterwards Master of the Horse. He was knighted at Whitehall 7 February 1608-9. Upon the death of Prince Henry in 1612, he was appointed by King James to be one of the Gentlemen of the Bedchamber, and was sworn a Privy Councillor on 5 August 1622.[1] He was continued in his office by King Charles I., by whom he was re-appointed to the Privy Council 9 June 1631.[2] He had charters under the Great Seal of an annualrent out of the lordships of Torthorwald and Carlyle 14 July 1612 and 3 June 1613,[3] of the lordship of Torthorwald 11 September 1617,[4] of the lands of Spott, and office of chamberlain and bailie of the lordship of Dunbar, united into a free barony of Spott 24 April 1624,[5] and of certain lands of the lordship of Dunbar 29 June 1631.[6] On 24 June 1633, he was created a Peer of Scotland, by the title of VISCOUNT OF BELHAVEN, in the county of Haddington, with destination to himself and the heirs-male of his body. In 1634 he acquired from Sir George Elphinston of Blythswood, the barony of Gorbals.

[1] *P. C. Reg.*, xiii. 42. [2] *Ibid.*, second series, iv. 263. [3] *Reg. Mag. Sig.* [4] *Ibid.* [5] *Ibid.* [6] *Ibid.*

He died at Edinburgh 14 January 1639, aged sixty-six, and was buried in the vestry of the Abbey of Holyroodhouse, where a fine monument was erected to his memory by his nephews, Sir Archibald and Sir Robert Douglas.

He married, May 1611, Nicolas, eldest daughter of Robert Moray of Abercairny, who died, November 1612, after giving birth to a child who did not survive, and was buried in the Savoy Chapel, where there is a monument to her memory surmounted with a recumbent figure of her husband.

By a Miss Whalley of the county of Nottingham,[1] he had two natural children, John and Susanna, who had letters of legitimation under the Great Seal 30 July 1631.[2] Susanna, then aged eighteen, had a licence from the Bishop of London to marry at St. Andrew's, Holborn, on 2 February 1635-36, a widower, aged thirty-four, Robert Douglas, afterwards Sir Robert Douglas of Blackerston, to whom and his spouse, Lord Belhaven, in 1636, made over the barony of Gorbals, reserving his own liferent. By them it was sold in 1650 to the Corporation of Glasgow. They had issue a large family.

Creation.—Viscount of Belhaven, 24 June 1633.

Arms.—According to Sir James Balfour, Argent, within a double tressure flory counterflory, a heart gules crowned or under a fess of the second charged with two mullets of the field, a martlet for difference.

Crest.—An ermine proper.

Supporters.—Two cocks of game, proper. But a stone on the Gorbals Court House has the mullets on a chief, and for supporters, dexter, a savage holding in his exterior hand a club, and, sinister, a lion imperially crowned.

Motto.—*Sans tache.*

[F. J. G.]

[1] Birthbriefs, Lyon Office, S. 10, i. 90. [2] *Reg. Mag. Sig.*

HAMILTON, LORD BELHAVEN

JOHN HAMILTON, of Broomhill, natural son of James, first Lord Hamilton, and illegitimate brother of James, first Earl of Arran, had a letter of legitimation under the Great Seal of Scotland 20 January 1512-13,[1] and died about 1550. He married, first, Elizabeth, daughter and heir of Patrick Hamilton of Udston, and widow of John Hamilton of Nielsland, Lanarkshire. By her he had issue.

He is said to have married, secondly, Margaret, daughter of Dalzell of Dalzell, in the same county. By her he had issue:—

1. JOHN, his heir.
2. *Robert* of Alanshaw.

He had also a daughter, *Margaret*; it does not appear by which wife. She had a charter from Gavin, Commendator of Kilwinning, to herself in liferent, and her son, Gavin Hamiltoun, in fee, of a tenement in Irvine 26 June 1559, charter of confirmation under the Great Seal 18 January 1576-77.[2]

JOHN HAMILTON of Broomhill, the eldest son, had a charter from Thomas Neilsoun, perpetual vicar of the

[1] *Reg. Mag. Sig.* [2] *Ibid.*

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Belhaven

parish of Stanehous, of the ecclesiastical lands of Stanehous, in Lanarkshire, 29 March 1560, charter of confirmation under the Great Seal 1 February 1565-66.[1] He married Anne, daughter of Hamilton of Kilbrachmont in Fife, and had issue:—

Sir James Hamilton of Broomhill, Sheriff of Lanark. He married Margaret, eldest daughter of William Hamilton of Udston, and had issue:—

I. Sir John Hamilton of Broomhill, afterwards of Biel. For his loyalty to Charles I. he was created LORD BELHAVEN AND STENTOUN, to himself and the heirs-male of his body, whom failing his heirs-male whomsoever, by patent dated 15 December 1647.[2] He accompanied Hamilton's expedition into England to attempt the rescue of the King in 1648, and was present at the battle of Preston. In 1675, being without male issue, he resigned his title into the hands of Charles II., who re-granted it by patent, dated 10 February 1675, conferring the Peerage on him for life, with remainder after his decease to the husband of one of his grand-daughters, John Hamilton, eldest son of Robert Hamilton, one of the clerks of Council and Session, and the heirs-male of his body, whom failing, to his nearest heirs-male whomsoever.[3] The first Lord Belhaven died 17 June 1679. Of him the following remarkable story is told by a contemporary: 'My Lord Belhaven without any example I ever heard of in Scotland, with his Ladie a very cuthie woman's advyce, did faine death, and for seven years was taken by all for dead, yet now (1661) appears again safe and sound in his own house. He was much engadged for Duke Hamilton: fearing the creditors might fall on his person and estate, and knowing, if he were reputed dead, his wife by conjunct fee and otherwise would

[1] *Reg. Mag. Sig.* [2] Recited in the re-grant aftermentioned. [3] *Reg. Mag. Sig.*, lxv. 88, MS. Printed in the Minutes of Evidence taken before the Committee for Privileges, to whom were referred the Petitions of James Hamilton and Lieut.-Col. R. W. Hamilton, both claiming the title of Lord Belhaven and Stenton (House of Lords Sessional Papers, Minutes ordered to be printed 7 July 1874). The genealogical statements contained in the present article are based chiefly on the documents produced in evidence in this case.

keep his estate: he went with his brother and two servants, towards England. These returned affirming that on Solway Sands my Lord was carried down by the river and they could no rescue him. His horse and his hatt they got, but when all search was made his bodie could not be found. His ladie and friends made great dool for him and none controverts his death. In the meantime he goes beyond London and farms a piece of ground and lives verie privatlie there. He had but one boy, a verie hopeful youth and prettie scholar. God strikes him with a fever as his mother said, but as others saith a fall from a horse, whereof in a few dayes he dies. In this reall death by God's hand who will no be mocked, the hope of that house perished. So that as the Duke's death was satisfied by selling his own lands, the secret journies of my Lord to his own house were espied and so much talked of that he now at last appears in public for his great disrepute, and though he disposes of his estate to his good son Silverton after his death yet many think that both their estates will go.'[1] Nicol[2] says Lord Belhaven was absent for six years and came back in 1659, having hired himself to be a gardener in England.

He married Margaret,[3] natural daughter of James, second Marquess of Hamilton, and had issue:—

1. —— a son, who died about 1661 as above stated.
2. *Margaret*, married in 1650 to Sir Samuel Baillie, younger of Lamington, with issue. He died 8 March 1668; she died 18 March 1674.[4]
3. *Anne*, married to Sir Robert Hamilton of Silvertonhill, Baronet, and had issue:—
   (1) *Sir Robert Hamilton*, Baronet.
   (2) *Thomas*.
   (3) *Margaret*, married to John Hamilton, second Lord Belhaven.
   (4) *Anne*, married to Sir William Craigie of Gairnie, without issue.
   (5) *Elizabeth*, married John Livingstone.
   (6) *Mary*.

The second Lord Belhaven was descended from John Hamilton of Nielsland, in Lanarkshire, fourth son of James Hamilton of Raploch, in the same county. John Hamilton married Elizabeth, only child of Patrick Hamilton of

[1] Baillie, iii. 436. [2] *Diary*, 233. [3] A remarkable admon. of the goods of Lord Belhaven was granted 11 November 1656, Lady Margaret the relict renouncing; *v.* Complete Peerage, i. 306 (note *c*). [4] *Lives of the Baillies*, 41.

Udston (she was married, secondly, to John Hamilton of Broomhill, *v. supra*, p. 38), and by her had issue :—

JOHN HAMILTON of Udston, killed at the battle of Langside, on the side of Queen Mary, 13 May 1568. He is said to have married a daughter of Sir Robert Dalzell of Dalzell, and had issue :—

William of Udston, called 'Willie Wisehead.' He had a son,

John of Udston, who had a charter 'Joanni Hamilton de Udston, filio et hæredi Willielmi,' of a tenement and garden in Hamilton, 20 April 1593. He married Margaret, daughter of James Muirhead of Lachop, in Lanarkshire, by Janet, sister of James Hamilton of Bothwellhaugh, who killed the Regent Murray. By her he had issue :—

1. *John Hamilton* of Coltness, married Helen Whiteford, daughter of Milton, and had issue :—

(1) *John Hamilton* of Udston, a Commissioner of Supply for Lanarkshire, 1645, 1648, 1649, married a daughter of Sir Archibald Stewart of Castlemilk, and had issue, *John*, his heir, *Robert*, a writer in Edinburgh, and six daughters. married respectively to Cunningham of Gilbertland, William Hamilton of Wishaw, Gladstanes of Gladstanes, Hamilton of Grange, Learmont of Newholm, and James Hamilton, minister of Eaglesham. *John*, the eldest son, Sheriff of Clydesdale, married Margaret, daughter of Cleland of Cleland, and had a daughter married to Hamilton of Barr, and a son, *John Hamilton* of Udston, collector of customs at Prestonpans, who married Elizabeth, third daughter of Robert Brown of Coalstoun, by whom he had two sons, *Alexander* and *William*, and a daughter *Margaret*. *Alexander Hamilton* married Elizabeth, daughter of William Cumming of Drummine, and had two sons, *William* and *John*. *William* assumed the title of LORD BELHAVEN, and voted as such at the election of representative peers in 1790 (*see* p. 47). He was a captain in the Twenty-second Foot, with the rank of major in the army, and died 19 January 1796.

(2) *William*.

(3) *Margaret*, married to Hamilton of Airdrie.

2. JAMES HAMILTON of Barncleuch, of whom presently.
3. WILLIAM HAMILTON of Wishaw, ancestor of the present Peer. His descendants will be dealt with later. (*See* p. 48.)
4. *Margaret*, married to Sir James Hamilton of Broomhill, mother of the first Lord Belhaven.
5. *Barbara*, married to Ralston of Ralston.

6. *Jean*, married to John Hamilton of Gilkerscleugh.
7. *Catherine*, married to Baillie of Park.[1]

JAMES HAMILTON, first of Barncleuch, acquired that estate by his marriage with Margaret, daughter and heir of Robert Hamilton of Barncleuch. By her he had six sons:—

1. *Quintin Hamilton* of Barncleuch, who was infeft in Barncleuch, as heir of his father, 21 May 1635. He had one son *John*, who died without issue before 21 February 1705.
2. *James Hamilton*, minister of Eaglesham, died 1684, aged about sixty-six. He married, 30 March 1652, Helen, youngest daughter of John Hamilton of Udston (*see* p. 41), and had four sons and two daughters.[2]
3. ROBERT HAMILTON, of Presmennan, of whom afterwards.
4. *Archibald Hamilton* of Rosehall, merchant in Edinburgh, created a Baronet 10 April 1703, died before 17 March 1710, when his son was served heir to him.[3] He married, first, *Elizabeth*, daughter of Jardine of Applegarth, by whom he had issue:—

   (1) *John*, baptized 4 February 1672, probably died young.
   (2) *Margaret*, married, 7 July 1693, to James Hamilton of Dalzell, who died 1727; she died 22 March 1704, *æt.* thirty-three, leaving issue.[4]
   (3) *Elizabeth*, married to William Cunningham of Brownhill, died 1 March 1760.

   Sir Archibald Hamilton married, secondly, Bethia,[5] daughter of Murray of Deuchar, and by her had:—

   (4) *Archibald*, baptized 28 October 1681, died *s. p.*
   (5) *Sir James Hamilton* of Rosehall, Baronet, baptized 24 November 1682, served heir to his father 17 March 1710; M.P. for Lanarkshire 1735, re-elected 1741 and 1747; married, 2 March 1707, Hon. Frances Stuart, second daughter of Alexander, fifth Lord Blantyre, and died, without issue, at London, 1 March 1750.
   (6) *William*, baptized 18 January 1684, died *s. p.*
   (7) *Alexander*, baptized 8 May 1685, died *s. p.*
   (8) *Robert*, baptized 13 January 1688, died *s. p.*
   (9) *Sir Hugh Hamilton* of Rosehall, Baronet, served heir to his brother 27 November 1750, died at Rosehall 1 September 1755. Married, 23 June 1750, Margaret, daughter of James Stirling of Keir, and had issue:—
      i. *Marion Hamilton*, died 28 July 1757.

[1] Douglas's *Baronage*. [2] Scott's *Fasti*, ii. 64, and authorities there cited. [3] Douglas's *Baronage*. [4] *Statistical Account*, xxi. 237. [5] Edinburgh Reg. of Baptisms.

Sir Hugh dying without male issue, the title of Baronet became extinct, and the estate of Rosehall devolved on his nephew of the half-blood, Archibald Hamilton of Dalzell, who was served heir to him 5 October 1757.

(10) *Eupham*, baptized 10 August 1680.

(11) *Anna*, baptized 3 October 1686.[1]

5. *John Hamilton*, and
6. *William Hamilton*, both of whom died without male issue.

Robert Hamilton of Presmennan, third son of James Hamilton of Barncleuch, admitted Writer to the Signet 24 March 1648; advocate 13 January 1677; one of the principal clerks of Session 1661-76; a Senator of the College of Justice, under the title of Lord Presmennan, 1 November 1689. He was knighted after the Revolution, and died at Edinburgh, 10 November 1695. Married Marion, eldest daughter of John Denholm of Muirhouse, and had issue :—

1. John, second Lord Belhaven.
2. *James* of Pencaitland, baptized 28 August 1659; admitted Writer to the Signet 19 February 1683; appointed a Senator of the College of Justice, by the title of Lord Pencaitland, 8 November 1712, also a a Commissioner of Justiciary. Demitted office as Commissioner of Justiciary, 4 July 1726, by reason of the gout and other bodily infirmities.[2] Died 1729. Married Catherine, daughter of James Denholm of Westshiels,[3] and had issue :—

(1) *John*, who succeeded to Pencaitland, and died without surviving issue, 14 February 1724.[4] He married Margaret, heiress of Alexander Menzies of Saltcoats in Haddingtonshire (she afterwards married the Hon. William Carmichael of Skirling, second son of the first Earl of Hyndford), and had issue :—

i. *James*, born 25 January 1710, died young.

(2) *Alexander* of Dechmont, Linlithgowshire, W.S. He succeeded his brother John in Pencaitland, and made an entail of Pencaitland, Dechmont, Saltcoats, etc., to Mary Hamilton, his only child, dated 31 January 1747. This entail was made in view of her marriage.[5] He died at Pencaitland 21 March

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[1] All these children except Hugh recorded in Edinburgh Register. [2] Original Demission in Charter-chest of Fletcher of Salton; MS. Notes in Sir William Fraser's copy of Douglas. [3] *Coltness Collections*, 6. [4] Special Retour of his brother Alexander, as heir to him in Pencaitland, 7 April 1724; Fraser's MS. Notes. [5] Fraser's MS. Notes.

1758. He married Mary, eldest daughter of Sir Francis Kinloch of Gilmerton, Baronet (she died 24 February 1772), and had issue:—

i. *Mary*, heiress of Pencaitland, Saltcoats, Dechmont, and Barncleuch. On the death of the fifth Lord Belhaven in 1777, she succeeded, in default of heirs-male, to his estates of Biel and Presmennan. She married, at Edinburgh, 2 February 1747, William Nisbet of Dirleton, who died at Edinburgh, 1 March 1783.[1] She died 13 March 1797, having had issue.

(3) *Robert*, baptized 16 July 1686.

(4) *Marion*, baptized 17 February 1685.

(5) *Anna*, baptized 8 August 1687.[2]

3. *Archibald*, baptized 4 May 1662.
4. *Robert*, baptized 23 October 1664.
5. *William*, baptized 24 December 1665; admitted W.S. 9 October 1697; died *s. p.*
6. *Daniel*, baptized 1 September 1669; writer in Edinburgh; married, 30 December 1700, Mary, daughter of Robert Hamilton of Monkland.
7. *Robert*, baptized 17 December 1670, captain in the First or Royal Regiment of Foot.
8. *Quentin*, baptized 28 April 1672.
9. *Harry*, baptized 7 September 1673; a surgeon-apothecary in Edinburgh; married Catherine Ross; died *s. p. m.*
10. *Thomas* of Presmennan, baptized 9 May 1675; advocate 1701; for forty years Master of the King's Wardrobe in Scotland; died *s. p.* 7 May 1749.
11. *Catherine*, baptized 27 August 1654.
12. *Anne*, baptized 1 August 1658; married to Alexander, fifth Lord Blantyre, with issue.
13. *Marion*, baptized 3 March 1661.
14. *Margaret*, baptized 25 September 1663.
15. *Rachel*, baptized 19 May 1667.
16. *Cecil*, born 6 July 1676.[3] Married to Sir Robert Stewart of Tillicoultry, Baronet, a Lord of Session, second son of Sir James Stewart of Bute, and had issue. Died at Edinburgh 21 November 1762.[4]

II. JOHN HAMILTON of Biel, eldest son of Lord Presmennan, was born at Edinburgh 5 July 1656, and married, 1674, Margaret, eldest daughter of Sir Robert Hamilton of Silver-

[1] Fraser's MS. Notes. [2] The last three children are recorded in the Edinburgh Register. [3] Edinburgh Register of Births. [4] All these children recorded in the Edinburgh Register.

tonhill, Baronet, by his wife, Anne, daughter of John, first Lord Belhaven. She survived him, and died 4 January 1717. On the death of that Lord, in 1679, this John Hamilton succeeded as second Lord Belhaven, in terms of the limitations of the patent of 10 February 1675. (*See* p. 39.)

In the Scots Parliament of 1681 he opposed the measures of the Government, and during the debate on the Test Act he spoke of it as failing 'to secure our religion from a popish or fanatical successor to the Crown,' a remark obviously aimed at the Duke of York. For this he was committed prisoner to Edinburgh Castle, and the King's advocate declared that there was matter for an accusation of treason against him; but having 'on his knees at the bar craved pardon,' he was restored to his place in Parliament. He was one of the Scots nobles who in January 1689 invited William of Orange to assume the government, and to call a Convention of the Estates, and at the meeting of the Convention he took part in the settlement of the crown on William and Mary. In June 1689 he was appointed a Commissioner for executing the office of Clerk of Register, and in July a member of the Scots Privy Council. He commanded the Haddingtonshire troop of horse at the Battle of Killiecrankie, 27 July 1689. He was one of the farmers of the poll-tax, which was leased at £30,000 sterling in 1693; and of the excise in Scotland from September 1695 to March 1697, at the rate of £80,800 sterling for those eighteen months, from which the Parliament of Scotland, 18 September 1705, allowed £17,181 to be deducted. He was a warm supporter of the Darien Scheme, being one of the few subscribers of £1000 to the South African Company.

On the accession of Queen Anne he was continued a Privy Councillor. In the Scots Parliament of 1703 he actively supported the Act of Security. He was accused of having taken part in the so-called 'Scotch plot' of that year for a Stuart restoration. He was appointed a Commissioner of the Scots Treasury in August 1704, but was removed next year.

He was a strenuous and eloquent opponent of the Union. His speech against it on 2 November 1706 remains the best-known example of the oratory of the old Scots Parliament.

In 1708 he was arrested and sent in custody to London on suspicion of favouring the attempted French invasion of that year. He was examined by the English Privy Council and admitted to bail. He died a few days afterwards, on 21 June 1708, of inflammation of the brain.

Lord Belhaven published *An Advice to the Farmers in East Lothian to Labour and Improve their Grounds.* One writer states that 'he was of a good stature, well set, of a healthy constitution, black complexion, and graceful, manly presence, had a quick conception, with a ready and masculine expression, and was steady in his principles, both in politics and religion.'[1] By another critic he is described as a 'rough, fat, black, noisy man, more like a butcher than a lord.'[2] There is a portrait of him in Pinkerton's *Scottish Gallery*, 1799.[3]

He had two sons:—

1. JOHN, third Lord Belhaven.
2. *James*, advocate, 1703; assistant solicitor to the Boards of Customs and Excise in Scotland, 1717; married Anne, daughter of John Walkinshaw of Walkinshaw; died, without issue, 28 June 1732.

III. JOHN, third Lord Belhaven, the eldest son, succeeded his father in 1708. He was chosen one of the sixteen Representative Peers for Scotland in 1715, was appointed one of the Gentlemen of the Bedchamber to George, Prince of Wales, and commanded the East Lothian troop of Horse at Sheriffmuir 13 November 1715. He was appointed Governor of Barbadoes, and was lost on his passage out to that colony on board the *Royal Anne* Galley, off the Lizard, 17 November 1721. He married Anne, daughter of Andrew Bruce, merchant in Edinburgh, a cadet of the family of Earlshall in Fife, and had issue:—

1. JOHN, fourth Lord Belhaven.
2. *Andrew*, an officer in the army, died, unmarried, in 1736.
3. JAMES, fifth Lord Belhaven.
4. *Robert*, a major in the army; served in the Expedition to Carthagena under Lord Cathcart in 1741; died unmarried in 1743.

[1] Boyer's *Queen Anne*, Appendix, p. 44. [2] Macky's *Memoirs*, 236. [3] *Dict. of Nat. Biog.*; Fountainhall's *Historical Notices of Scottish Affairs*, ii. 307; *Acta Parl. Scot.*, viii. 247a, ix. 27b; Defoe's *History of the Union* (ed. 1786), 317.

5. *Margaret*, married to Alexander Baird, son of Sir William Baird of Newbyth.

IV. JOHN, fourth Lord Belhaven, succeeded his father 1721. He was General of the Mint, and a member of the Board of Manufactures. He died, unmarried, at Newcastle, 28 August 1764, and was succeeded by his next surviving brother,

V. JAMES, fifth Lord Belhaven, who entered the Faculty of Advocates 1728, was appointed assistant solicitor to the Boards of Customs and Excise 1733, and Sheriff-depute of the county of Haddington, on the abolition of heritable jurisdictions, 1747. He died, unmarried, at Biel, 25 January 1777.

By virtue of an entail executed by John, second Lord Belhaven, 17 October 1701, settling his estates on the heirs-male of the body of his father, Lord Presmennan, whom failing, on the heirs-female; which entail was confirmed by James, fifth Lord Belhaven, by another entail of 14 May 1765, wherein he excluded the *jus mariti* of the husbands of the heirs-female succeeding to the property; the whole male descendants of Lord Presmennan having failed, the family estates devolved on Mrs. Mary Hamilton Nisbet of Pencaitland, Saltcoats, and Dechmont, wife of William Nisbet of Dirleton. She was accordingly served heir of tailzie and provision to James, fifth Lord Belhaven, 3 December 1783.[1]

The whole male descendants of James Hamilton of Barncleuch having also failed, the title of Lord Belhaven, in terms of the patent of 1675, devolved on Robert Hamilton sixth of Wishaw, the direct heir-male of William Hamilton, third of Wishaw, third son of John Hamilton of Udston, as the heir-male whomsoever, according to the law of Scotland, of the second Lord. The title was, however, assumed by Captain William Hamilton (*see* p. 41) as lineal descendant and heir-male of John Hamilton of Coltness, the eldest son of John Hamilton of Udston. He appeared by his proxy, the Earl of Balcarres, at the General Election

[1] Entails and retour of service printed in Minutes of Evidence, Belhaven Case, 9.

of Representative Peers, held on 24 July 1790, and voted as Lord Belhaven. This vote was protested against by Mr. Hamilton of Wishaw and the Earl of Lauderdale, and the matter having been brought before the House of Lords by several Peers, that House on 25 February 1793, resolved the question 'that the votes given by the person who voted at the said election under the title of Lord Belhaven, were good' in the negative.[1]

In 1795 William Hamilton of Wishaw, eldest son and heir of Robert, presented a petition to King George III. claiming the Peerage under the remainder in the patent of 1675, as heir-male whomsoever of the second Lord, and this claim was determined in his favour on 19 April 1799.

His descent was as follows:—

William Hamilton, first of Wishaw, the third son of John Hamilton of Udston, and Margaret Muirhead (*see* p. 41), died about 1642. He married, in August 1621, Beatrix, daughter of James Douglas of Morton, and had issue:—

1. James Hamilton, second of Wishaw, who died *s. p. m.* before 1654.
2. *John Hamilton*, who died *s. p.* at Gartness in 1666.
3. William Hamilton, of whom hereafter.
4. *Quintin Hamilton*, who died *s. p.*
5. *Margaret*, married to George Cleland of Gartness.

William Hamilton, sometime writer in Edinburgh, acquired the rights of his immediate elder brother to the property and was styled third of Wishaw. He was distinguished as an antiquary and genealogist, and is referred to by George Crawford, the historian of Renfrewshire, 'as that fam'd antiquary, William Hamilton of Wishaw,' while Nisbet acknowledges his obligations to him in the production of his *Heraldry*. He left a manuscript 'Account of the Shyres of Renfrew and Lanark,' which is preserved in the Advocates' Library. It was used by both Crawford and Nisbet, was edited by William Motherwell, and printed by the Maitland Club in 1832.[2] He died about 1726. He

[1] Belhaven Case; Case for the claimant, James Hamilton, 7 *n.* [2] *Dict. Nat. Biog.*

married, first, in 1660, his cousin Anne, daughter of John Hamilton of Udston, and had issue who survived:—

1. *William*, born at Auldstoun, 4 May 1661, and died unmarried before his father.
2. ROBERT, younger of Wishaw, born at Wishaw 6 July 1664, of whom afterwards.
3. *James*, born at Edinburgh 10 January 1666, died without issue.
4. *Archibald*, born at Edinburgh 22 January 1667, married Miss Hamilton, heiress of Dalserf, and had issue.
5. *John*, born at Edinburgh 30 November 1667, died *s. p.*
6. *Thomas*, born at Wishaw 9 October 1669, died young.
7. *Margaret*, married to Cleland of Cleland.

William of Wishaw married, secondly, at Edinburgh, 31 August 1676, Mary, eldest daughter of the Hon. Sir Charles Erskine of Alva, Baronet, fifth son of John, seventh Earl of Mar, and had issue by her:—

8. *Charles Hamilton* of Weatherley, born 17 December 1678, married, 1699, Euphemia, youngest daughter of Sir Archibald Hamilton of Rosehall, Baronet, by whom he had:—
   (1) *William*, born 28 December 1700, died young.
   (2) *Bethia*, born 31 January 1702, married to her cousin William Hamilton of Wishaw (p. 52).
   (3) *Archibald*, born 7 January 1703, died young.
   (4) *Charlotte*, died unmarried.
9. *John Hamilton* of Newton, born 30 November 1680; admitted a W.S. 3 March 1707. He is mentioned in Lockhart's *Memoirs* as the person sent by the Jacobites in Scotland in 1708 to the Duke of Hamilton, then at Ashton in Lancashire, with intelligence of the projected French invasion. Died at Edinburgh 25 January 1757. He married Jean, daughter of Garthshore of Garthshore, and had issue:—
   (1) *Helen*, married in 1741, to Sir Patrick Murray of Ochtertyre, Baronet, and had issue; died at Gartly 11 July 1773.
   (2) *Jacobina*, married to Sir George Dunbar of Mochrum, Baronet, and had issue; died at Edinburgh 28 January 1792.
10. *William*, born 6 August 1685, bred to the law of Scotland, went to London soon after the Union, was called to the English Bar, and became a Bencher of Lincoln's Inn. Horace Walpole wrote of him that

he was 'the first Scot who ever pleaded at the English Bar, and, as it was said of him, should have been the last.' He died 15 January 1754. He married Helen, daughter of David Hay of Woodcockdale, in the county of Linlithgow, sister of David Bruce of Kinnaird, and had issue:—

(1) *Robert Hamilton*, born 1724, died 1737.
(2) *The Right Hon. William Gerard Hamilton*, born in Lincoln's Inn Fields, 28 January 1729; elected M.P. for Petersfield on a vacancy 1754, and re-elected at the general election in the same year; for Pontefract 1762, for Old Sarum 1768, for Wareham 1774, for Wilton 1780 and 1784, and for Haslemere 1790; was in eight successive Parliaments, and sat forty-two years in the House of Commons. He also sat in the Irish Parliament for the borough of Killebegs 1761-68. Appointed one of the Commissioners of Trade and Plantations 1756; Chief Secretary to the Lord-Lieutenant of Ireland 1761; Chancellor of the Exchequer in Ireland 1763-84; Privy Councillor in Ireland, and had a pension of £2000 a year on the Irish establishment. His famous maiden speech in the debate on the Address, 13 November 1755, earned him the name of 'Single-speech Hamilton.' It was to him that Dr. Johnson paid the ponderous compliment: 'I am very unwilling to be left alone, sir, and therefore I go with my company down the first pair of stairs, in some hopes that they may, perhaps, return again. I go with you, sir, as far as the street door.' He died unmarried in London, 16 July 1796.[1]

11. *Thomas*, born 13 August 1687, an officer in the army, died unmarried before 1758.
12. *Alexander*, born 21 May 1693. Solicitor, London. Died in 1781. Married, first, Frances Dalzell, by whom he had no issue, secondly, Barbara Lilley, by whom he had:—

(1) *William Hamilton* of Lincoln's Inn, died 27 April 1811, married Sarah Allan, without male issue.
(2) *John Robert Hamilton*, died young.
(3) ANTHONY HAMILTON, born 5 May 1739. Vicar of St. Martin's-in-the-Fields, rector of Hadham, Hertfordshire, archdeacon of Colchester, D.D. Married, 12 February 1767, Anne, daughter of Richard Terrick, Bishop of London. Died 4 October 1812. He was the ancestor of the present (tenth) Lord Belhaven. His descendants will be dealt with later (p. 56).
(4) *Alexander Hamilton*, died in infancy.
(5) *Alexander Lilley Hamilton*, died young.

[1] *Dict. Nat. Biog.*; Walpole's *Letters* (ed. Cunningham), ii. 494; Boswell's *Johnson* (ed. Hill), i. 490.

13. *Helen*, married, 31 March 1694, to Andrew Baillie of Parbroath, and had issue:—

(1) *Robert Baillie* of Parbroath, whose son, Colonel Alexander Baillie, married Euphemia Hamilton, sister of Robert, *de jure* sixth Lord Belhaven, and died without issue in 1814.

(2) *Helen*, born 20 August 1708, married to James Hamilton of Stevenston (*see* p. 55).

14. *Catherine*, born 13 May 1682, married to the Rev. David Pitcairn, minister of Dysart, with issue. He died 18 April 1757, aged eighty-three; she died 3 March 1758.[1]

15. *Mary*, married to Dr. David Balfour, son of Sir Michael Balfour of Denmiln, without issue.

16. *Janet*, married to Alexander Garthshore of Garthshore, without issue.

17. *Christian*, who died young.

18. *Anne*, born 11 February 1692, married to James Bogle, Receiver-General of the Customs in Scotland, and had issue.

Robert Hamilton, younger of Wishaw (*p.* 49), died before his father William Hamilton, third of Wishaw, having married, in 1686, Jean, eldest daughter and heiress of Robert Hamilton of Brownmuir, by whom he had issue:—

1. *William*, who apparently died young, as his immediate younger brother bore the same name, and succeeded their father in the estate of Wishaw.

2. William Hamilton, fourth of Wishaw.

3. *Robert Hamilton*, born at Glenhoove 3 March 1691. Minister of Hamilton. Died 13 July 1765. Married, 9 March 1721, Cecil, daughter of the Rev. Francis Borland, minister of Glassford.[2] By her, who predeceased him, he had issue:—

(1) *James*, born 19, baptized at Hamilton 24 December 1721. Minister of the Abbey Parish of Paisley. Married, 3 Aug. 1761, Elizabeth, daughter of the deceased Rev. Robert Millar. Died, without issue, 14 March 1782. His wife died 25 September 1798.[3]

(2) *Robert*, born 20 August, baptized at Hamilton 1 September, 1723. Predeceased his father without issue.

(3) *Francis*, born 8, baptized at Hamilton 16, April 1727; died unmarried.

(4) *Anne*.

(5) *Rachel*.

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[1] Scott's *Fasti*, ii. 535. [2] *Ibid.*, 259. [3] *Ibid.*, 199.

4. *John*, born at Glenhoove 27 September 1692. His issue male, if he had any, were extinct before 1795.
5. JAMES, first of Stevenston (ancestor of the ninth Lord Belhaven), as to whom *see* p. 55.

WILLIAM HAMILTON, fourth of Wishaw, was born at Glenhoove 2 February 1690, and was killed by a fall from his horse between Hamilton and Wishaw, 16 April 1756. He married, on 16 December 1726, his cousin, Bethia, eldest daughter of Charles Hamilton of Weatherley, eldest son of William Hamilton, third of Wishaw, by his second marriage, and by her, who was born 31 January 1702, and died at Luthrie, 2 October 1785, had issue:—

1. CHARLES, born at Wishaw 19 September 1727; succeeded his father as fifth of Wishaw; died unmarried 15 May 1763.
2. *William*, born at Wishaw 25 October 1728; an officer in the army; died, without male issue, before his brother Charles.
3. ROBERT, sixth of Wishaw.
4. *James*, born at Wishaw 8 June 1734; married Anne, daughter of James Bowie of Holehouse; died at Falkirk 14 August 1787.
5. *John*, born at Wishaw 5 November 1737. Married, first, at Edinburgh, 15 June 1762, Isabella, daughter of Sir Henry Stirling of Ardoch, Baronet, and had issue:—

(1) *William*, who went to Jamaica, and died there *s. p. m.*

(2) *Henry*, who also went to Jamaica, and died there *s. p. m.* He held an ensign's commission on half-pay in the Seventy-First Regiment, from which he was gazetted to an ensign's full-pay commission in the Eighty-Third Regiment in 1799, which was cancelled. His name continued in the Army List on the half-pay of the Seventy-First until 1808, when it was struck out 'in consequence of his not having received his half-pay for the last seven years.'

John Hamilton married, secondly, Miss Graham, by whom he had a son,

(3) *Alexander*.

6. *Archibald*, born at Wishaw 10 October 1739; died unmarried.

VI. Robert Hamilton, born at Wishaw 3 May 1731; became sixth of Wishaw on the death of his brother Charles, on 15 May 1763; was served heir-male and of line, and also heir of provision of his father, William Hamilton, fourth of Wishaw, on 24 January 1770. He became *de jure* sixth Lord Belhaven on the death of James, the fifth Lord, and the last of the Biel line, in 1777, but never assumed the title, and died at Wishaw 27 March 1784. He married, at Edinburgh, 11 February 1764, Susan, second daughter of Sir Michael Balfour of Denmiln, Baronet, and by her, who died at Edinburgh 9 January 1789, had issue:—

1. William, who succeeded as seventh Lord Belhaven.
2. *Robert*, born 17 and baptized 21 April 1767; a colonel in the army; died, at Edinburgh, 27 November 1835, unmarried.
3. *Charles*, born 16 December 1769; baptized 1 January 1770; died before 18 May 1778.[1]
4. *Michael*, born 8, baptized 15, July 1772; died before 18 May 1778.
5. *Peter Douglas* or *Patrick Douglas*, sometime lieutenant Twelfth Light Dragoons; buried, at Newcastle, 19 August 1827, unmarried.
6. *Mary*, born 14, baptized 19, December 1765; died, unmarried, at Edinburgh, 4 June 1793.
7. *Jean*, born 26 January, baptized 2 February, 1769; married, 24 February 1791, to George Ramsay of Barnton, who died in February 1810, and had issue. She died 9 October 1841.
8. *Betty*, born 24 December 1770, baptized 1 January 1771; married, 9 December 1791, to William Ramsay, banker in Edinburgh; died, in Charlotte Square, Edinburgh, 30 August 1809, leaving issue.
9. *Susannah*, born 1, baptized 10, September 1773; died in December 1828.
10. *Euphame*, born 17 February 1775; died unmarried.

VII. William, seventh Lord Belhaven, born 13 January 1765, succeeded his father 21 March 1784, but did not assume

[1] Date of a bond of provision to the younger children in which Robert and Patrick are the only sons mentioned. Charles and Michael are not mentioned in Douglas.

the title till the decision of the House of Lords in his favour as above-mentioned, on 19 April 1799. He served in the Third King's Own Regiment of Dragoons, and was afterwards colonel of the Lanarkshire and Dumbartonshire Fencible Cavalry, and lieut.-colonel of the Lanarkshire Militia. He died at Wishaw, 29 October 1814. He married, at Edinburgh, 2 March 1789, Penelope, youngest daughter of Ranald Macdonald of Clanranald, and by her, who died at Edinburgh, 5 May 1816, had issue:—

1. Robert Montgomerie, eighth Lord Belhaven.
2. *William*, born 1797; captain in the Bengal Native Infantry; married, at Calcutta, 25 September 1834, Marcellina Antonia Mendes (who died 22 October 1858), widow of P. Mendes; died, without male issue, at Serampore, 3 July 1838.
3. *Penelope*.
4. *Susan Mary*, married, 17 November 1820, to Peter Ramsay, banker, Edinburgh, who died 31 August 1855. She died 30 December 1856, leaving issue.
5. *Flora*, died 1810.
6. *Jean*, married, 15 February 1819, to Rear-Admiral Charles Sotheby, R.N., eldest son of William Sotheby, F.R.S., of Fairmead Lodge, Essex; died 12 September 1820. He died 20 January 1854.
7. *Bethia*.

VIII. Robert Montgomerie, eighth Lord Belhaven, K.T., was born in 1793, and succeeded his father in 1814. He was for some time a Representative Peer of Scotland; was on 19 September 1831 created a Baron of the United Kingdom by the title of BARON HAMILTON OF WISHAW, in the county of Lanark, with remainder to the heirs-male of his body, and took his seat in the House of Lords 28 June 1833. He married, at Pencaitland, 16 December 1815, Hamilton, daughter of Walter Frederick Campbell of Shawfield and Islay, and by her, who survived him, and died on 8 September 1873, had no issue. Lord Belhaven died 22 December 1868, when the Barony of Hamilton of Wishaw became extinct. In him ended the whole male issue of Robert Hamilton, sixth of Wishaw, *de jure* sixth Lord Belhaven.

Thereupon the Peerage was claimed by (1) James Hamilton, clerk to Messrs. Cockburn & Co., wine merchants, Leith, and (2) Robert William Hamilton, sometime captain and lieutenant-colonel in the Grenadier Guards, each claiming to be heir-male whomsoever of John Hamilton, created Lord Belhaven by the patent of 1675.

Mr. James Hamilton claimed in virtue of the following descent:—

James Hamilton, fifth and youngest son of Robert Hamilton, younger of Wishaw (*see* p. 51), was born at Faskine on 25 September 1700. He became a merchant in Edinburgh, acquired the estate of Stevenston, in the parish of Bothwell and county of Lanark, and was buried at Bothwell 28 November 1769. He married, first, 10 November 1736, Helen or Nellie, daughter of Andrew Baillie of Parbroath (*see* p. 51), and by her, who was buried at Bothwell 22 April 1758, had of issue male *inter alios* five sons:—

1. *John*, born 9, and baptized at Bothwell 12, November 1738. He died without male issue before 16 October 1772, the date of the service of his younger brother James, as heir to their father.
2. *Robert*, born 14, and baptized at Bothwell 17, February 1740, who also must have died without male issue before 16 October 1772.
3. *Andrew*, born 30 November 1743, died 20 May 1744.
4. James, second of Stevenston.
5. *William*, born June 1748, who became a merchant in Jamaica. He married Elizabeth, daughter of Archibald Nisbet of Carfin, and died at Edinburgh 15 December 1802, leaving issue.

James Hamilton, first of Stevenston, married, secondly, Elizabeth, daughter of William Cunningham of Brownhill.

James Hamilton, second of Stevenston, was born 10 June 1745, and served heir in general to his father 16 October 1772, was infeft in the estate of Stevenston 19 July 1773. He sold that estate in 1783. He married Mary, daughter of the said Archibald Nisbet of Carfin, and by her, who survived him, and died on 30 March 1812 and is buried in

St. Cuthbert's, Edinburgh, had of issue male *inter alios* three sons:—

1. *James*, who became a captain in the army, and predeceased his mother, without issue.
2. ARCHIBALD, the father of the claimant.
3. *Francis*, who became a captain in the army, and died at London, 10 December 1869, having been twice married, and leaving issue.

ARCHIBALD HAMILTON, the eldest surviving son of James Hamilton, second of Stevenston, was born in the parish of Bothwell, 19 September 1774. He became a surgeon in the Ninety-second Regiment of Foot, and died at Edinburgh 23 February 1823. He married May Clarke, and by her, who survived him, had issue two sons, twins, born at Edinburgh on 29 August 1822.

1. JAMES, who became ninth Lord Belhaven.
2. *Archibald*, who died on board the ship *George Fyfe* on the voyage to Sydney, 30 September 1839.
3. *Mary* Nisbet, married, 1840, Frederick Chapman (who died 13 September 1852); died 28 February 1883.
4. *Jessie*.

Colonel R. W. Hamilton claimed in virtue of the following descent:—

ARCHDEACON ANTHONY HAMILTON, grandson of William Hamilton, third of Wishaw (*see* p. 50) had issue by his wife Anne Terrick:—

1. *Terrick*, died in infancy.
2. WILLIAM RICHARD, of whom afterwards.
3. *Anthony*, born 12 July 1778, Rector of Loughton, archdeacon of Taunton, died 10 September 1851. He married, 13 July 1807, Charity Graeme, third daughter of Sir Walter Farquhar, Bart., Physician to the Prince Regent; she died 9 November 1869, and had issue:—

   (1) *Walter Kerr*, born 16 November 1808; Bishop of Salisbury; married, 9 January 1845, Isabel, daughter of Francis Lear, Dean of Salisbury; died 1 August 1869, leaving issue.

   (2) *Edward William Terrick* of Charters, Berks, born 9 November 1809; married, 14 August 1844, Anne, daughter of John Thacker of Ascot, Berks, died 1898, leaving issue.

William Richard Hamilton, the eldest surviving son, was born 9 January 1777. He was appointed Secretary to Lord Elgin when the latter went as Ambassador to Constantinople in 1799. He was distinguished as an archæologist. At the time of the evacuation of Egypt by the French in 1801, after the battle of Alexandria, he prevented them from carrying off the Rosetta Stone, which they attempted to do, contrary to treaty; he superintended the removal to England of the Elgin Marbles; and in 1815 he obtained the restoration by France of works of art taken from Italy. He was Under-Secretary for Foreign Affairs 1809-22; Minister at Naples 1822-25; a trustee of the British Museum 1838-58. Published *Ægyptiaca* (1809), containing first translations of the Rosetta Stone inscriptions. Died 11 July 1859.[1] He married, 3 September 1804, Juliana Udny, and had issue:—

1. William John, of whom afterwards.
2. *Alexander Edmund*, born 29 October 1806, drowned near Poonah 30 June 1827.
3. *Henry George*, born 3 October 1809; captain R.N., married, 7 June 1845, Fanny Elizabeth, daughter of the Rev. Charles Tower; died 25 March 1879, leaving issue.
4. *Charles Anthony*, born 3 October 1809, Deputy Clerk of the Council, died 1860.
5. *Arthur Richard*, born 4 January 1814, married, first, 1839, Charlotte Cox; secondly, 1872, Annie Steele; died 1882, leaving issue.
6. *Frederick William*, born 8 July 1815; lieutenant-general; K.C.B.; married, 25 June 1860, Louisa Anne Erskine, daughter of Sir Alexander Anstruther, Knight; died October 1890.
7. *Augustus Terrick*, born 30 January 1818; captain Seventy-first Regiment; died unmarried 1880.

William John Hamilton, the eldest son, was born 5 July 1805, was M.P. for Newport; died in London 27 June 1867. He married, first, 26 April 1832, Martin, daughter of John Trotter of Dyrham Park, by whom he had issue:—

1. *Robert William*, the claimant, born 12 March 1833.

[1] *Dict. Nat. Biog.*

William John Hamilton, married, secondly, 26 July 1838, Margaret Frances Florence, daughter of the thirteenth Viscount Dillon (she died 19 April 1885), by whom he had:—

1. ALEXANDER CHARLES, tenth Lord Belhaven.
2. *Constantine Henry*, born 21 June 1843; lieutenant-colonel R.A.; died unmarried 1885.
3. *Archibald William*, born 4 April 1847; Royal Navy; died 1886; married 1869, Elizabeth, daughter of W. Billyard of Sydney, N.S.W., and had issue:—
   (1) *Robert Edward Archibald*, captain Indian Staff Corps, born 8 April 1871; married, 15 November 1898, Kathleen Gonville, daughter of Sir B. P. Bromhead, Bart., and has issue:—
   Julia, born 1901.
   (2) *Margaret Elizabeth.*
4. *Victoria Henrietta*, married 31 May 1864, to Captain James Graham Goodenough, C.B., C.M.G., R.N., who died 20 August 1875, leaving issue:—
   (1) *Florence Selina*, married, 10 July 1877, to Sir Thomas Villiers Lister, K.C.M.G. He died 26 February 1902, leaving issue.
5. *Sybil Jean.*
6. *Margaret Wilhelmina*, married, 25 April 1881, to Louis Eric Ames, late Second Life Guards, and has issue.

It was maintained by Colonel Hamilton that there was no sufficient evidence to identify James Hamilton, first of Stevenston, great-grandfather of James Hamilton the claimant, with James Hamilton, youngest son of Robert Hamilton, younger of Wishaw, and that the only connection which the Hamiltons of Stevenston had with the family of Wishaw arose from the marriage of James Hamilton, first of Stevenston, with Helen Baillie, daughter of Andrew Baillie of Parbroath, by Helen Hamilton, daughter of William Hamilton of Wishaw.

On 2 August 1875 the House of Lords decided that James Hamilton had made out his claim, and he accordingly became

IX. JAMES, ninth Lord Belhaven. He died 6 September 1893. He married, 30 October 1877, Georgina, fourth daughter of Sir John Watson, Bart., of Earnock and Neilsland, and had issue:—

1. *Leonore Agnes Watson Nisbet*, born 27 August 1878; married, 24 March 1903, at St. Giles' Cathedral, Edin-

burgh, to R. Borras Whiteside, of Whitehall Court, London, S.W., and has issue :—

(1) *Noel*, born 12 December 1903.

2. *Mary Clarke Mary Nisbet*, born 26 November 1879.
3. *Clarice Jessie Evelyn*, born 10 October 1881; married, 12 December 1899, to the Hon. Francis Edward Basil Napier, Master of Napier, and has issue :—

(1) *William Francis Cyril James*, born 9 September 1900.
(2) *Augusta Caroline Harriet Georgina*, born 28 November 1901.

4. *Muriel Louise*, born 1 February 1884.
5. *Winifred Maude*, born 13 December 1886.
6. *Dorothy Henrietta*, born 24 March 1888.
7. *Georgina Violet*, born 11 August 1889.

COLONEL R. W. HAMILTON, who unsuccessfully claimed the title on the death of the eighth Lord, died 3 October 1883. He married, 10 July 1856, Charlotte Maria, daughter of Colonel George Palmer of Nazing Park, and had issue three daughters—

1. *Mary Geraldine*, married, 21 May 1901, to Henry Alfred Newton.
2. *Edith Lilian*, married, 1898, to Norman Alexander Sinclair, brother and heir-presumptive of Sir J. R. G. Sinclair, Bart., of Dunbeath, and has issue :—

(1) *Ronald Norman John Charles Udney*, born 1899.
(2) *Alexander Robert*, born 26 September 1901.

3. *Helen Violet.*

On the death of the ninth Lord in 1893, Alexander Charles Hamilton, eldest son of a W. J. Hamilton, M.P., by his second marriage with the Hon. Margaret Dillon (*see* p. 58), and half-brother of Colonel R. W. Hamilton, succeeded as

X. ALEXANDER CHARLES, tenth Lord Belhaven.[1] Born 3 July 1840, is colonel (retired); formerly lieutenant-colonel R.E., commanded Surrey Volunteer Infantry Brigade 1888-1902; served in Zulu War 1879; D.L. for Lanarkshire.

[1] Debrett (*Peerage*, 1904, p. 99) notes that the present Lord Belhaven 'has been served heir to his kinsman, has voted at the election of Scotch Representative Peers, and has matriculated arms at Lyon Office as tenth Baron, but has not proved his right to the title before the Committee for Privileges of the House of Lords.'

St. Cuthbert's, Edinburgh, had of issue male *inter alios* three sons:—

1. *James*, who became a captain in the army, and predeceased his mother, without issue.
2. ARCHIBALD, the father of the claimant.
3. *Francis*, who became a captain in the army, and died at London, 10 December 1869, having been twice married, and leaving issue.

ARCHIBALD HAMILTON, the eldest surviving son of James Hamilton, second of Stevenston, was born in the parish of Bothwell, 19 September 1774. He became a surgeon in the Ninety-second Regiment of Foot, and died at Edinburgh 23 February 1823. He married May Clarke, and by her, who survived him, had issue two sons, twins, born at Edinburgh on 29 August 1822.

1. JAMES, who became ninth Lord Belhaven.
2. *Archibald*, who died on board the ship *George Fyfe* on the voyage to Sydney, 30 September 1839.
3. *Mary* Nisbet, married, 1840, Frederick Chapman (who died 13 September 1852); died 28 February 1883.
4. *Jessie*.

Colonel R. W. Hamilton claimed in virtue of the following descent:—

ARCHDEACON ANTHONY HAMILTON, grandson of William Hamilton, third of Wishaw (*see* p. 50) had issue by his wife Anne Terrick:—

1. *Terrick*, died in infancy.
2. WILLIAM RICHARD, of whom afterwards.
3. *Anthony*, born 12 July 1778, Rector of Loughton, archdeacon of Taunton, died 10 September 1851. He married, 13 July 1807, Charity Graeme, third daughter of Sir Walter Farquhar, Bart., Physician to the Prince Regent; she died 9 November 1869, and had issue:—

   (1) *Walter Kerr*, born 16 November 1808; Bishop of Salisbury; married, 9 January 1845, Isabel, daughter of Francis Lear, Dean of Salisbury; died 1 August 1869, leaving issue.

   (2) *Edward William Terrick* of Charters, Berks, born 9 November 1809; married, 14 August 1844, Anne, daughter of John Thacker of Ascot, Berks, died 1898, leaving issue.

WILLIAM RICHARD HAMILTON, the eldest surviving son, was born 9 January 1777. He was appointed Secretary to Lord Elgin when the latter went as Ambassador to Constantinople in 1799. He was distinguished as an archæologist. At the time of the evacuation of Egypt by the French in 1801, after the battle of Alexandria, he prevented them from carrying off the Rosetta Stone, which they attempted to do, contrary to treaty; he superintended the removal to England of the Elgin Marbles; and in 1815 he obtained the restoration by France of works of art taken from Italy. He was Under-Secretary for Foreign Affairs 1809-22; Minister at Naples 1822-25; a trustee of the British Museum 1838-58. Published *Ægyptiaca* (1809), containing first translations of the Rosetta Stone inscriptions. Died 11 July 1859.[1] He married, 3 September 1804, Juliana Udny, and had issue:—

1. WILLIAM JOHN, of whom afterwards.
2. *Alexander Edmund*, born 29 October 1806, drowned near Poonah 30 June 1827.
3. *Henry George*, born 3 October 1809; captain R.N., married, 7 June 1845, Fanny Elizabeth, daughter of the Rev. Charles Tower; died 25 March 1879, leaving issue.
4. *Charles Anthony*, born 3 October 1809, Deputy Clerk of the Council, died 1860.
5. *Arthur Richard*, born 4 January 1814, married, first, 1839, Charlotte Cox; secondly, 1872, Annie Steele; died 1882, leaving issue.
6. *Frederick William*, born 8 July 1815; lieutenant-general; K.C.B.; married, 25 June 1860, Louisa Anne Erskine, daughter of Sir Alexander Anstruther, Knight; died October 1890.
7. *Augustus Terrick*, born 30 January 1818; captain Seventy-first Regiment; died unmarried 1880.

WILLIAM JOHN HAMILTON, the eldest son, was born 5 July 1805, was M.P. for Newport; died in London 27 June 1867. He married, first, 26 April 1832, Martin, daughter of John Trotter of Dyrham Park, by whom he had issue:—

1. *Robert William*, the claimant, born 12 March 1833.

[1] *Dict. Nat. Biog.*

SIC·ITUR·AD·ASTRA
Bellenden of Broughton

BELLENDEN, LORD BELLENDEN OF BROUGHTON

BELLENDEN is a name which is found in a variety of forms: Bellentyne, Ballantyne, Ballindean, and Bannatyne, are all variations of the same name. In 1361 John de Bennachtyne de Corrokis resigned the lands of Niddry in the county of Edinburgh:[1] but the first known ancestor of the family with which we have now to deal is

John Bellentyne, probably a near relation of Robert Bellentyne, Abbot of Holyrood (1484-1500); died before 1486, leaving issue:—

1. Patrick.
2. *Walter*, Canon of Holyrood Abbey. He died before 8 July 1490, when his brother Patrick had sasine as his heir.[2]
3. *Margaret*, married to Gilbert Forrester of Drylaw.[3]
4. *Christian*, married to Matthew Forrester of Barnton.[4]

Patrick, appointed parish clerk of Holyrood, and formally accepted as such by the parishioners 2 April 1486[5]; on his

[1] *Reg. Mag. Sig.* [2] Protocol Book of James Young, Edinburgh City Chambers. [3] *Ibid.*, 19 July 1491 and 13 July 1494. [4] *Ibid.*, 21 January 1494-95 and 18 July 1513. [5] *Laing Charters*, 196.

death Robert Crichton, afterwards Bishop of Dunkeld, was chosen as his successor 8 February 1514-15.[1] He was Steward of Queen Margaret, wife of King James IV., from 1509 to his death in July or August 1514.[2] He and Marion Douglas his wife had sasine of the lands of Horshope in Berwickshire, granted them by Archibald, Earl of Angus, 4 March 1492-93, and of other lands.[3] They had also a charter of the lands of Achnolnyshill or Auchnoule in the barony of Caldercleir and county of Edinburgh from the Earl of Morton 26 March 1499.[4] His wife survived him, and was alive 6 March 1541-42.[5] He left issue:—

1. Mr. THOMAS.
2. *Catherine.* In 1527 Katrine Ballantyne got £300 'to help to pay her tocher for the gude and thankful service done be her moder Marion Douglas to the Kingis hienes.'[6] She married, first, before 19 March 1522-23,[7] Adam Hopper, provost of Edinburgh:[8] secondly, before 19 February 1529-30,[9] Francis Bothwell, Provost of Edinburgh and Lord of Session: thirdly, before 12 January 1537-38,[10] Oliver Sinclair of Pitcairn. She is called relict of Francis Bothwell and spouse of Oliver Sinclair.[11] Adam Hopper died after 12 August 1529.[12] Francis Bothwell died before 14 January 1535-36.[13] She had issue by all three husbands: by her second husband her eldest son was Adam, Bishop of Orkney, ancestor of the Lords Holyroodhouse.[14] She was dead before January 1568.[15]

It is not unlikely that John Bellenden, the translator of Livy and Boece, was a second son of Patrick. He first appears as Clerk of the King's Expenses from 1515 to 1522.[16] If so, there was another daughter, *Margaret*, mentioned as

[1] Protocol Book of James Young. [2] *Exch. Rolls*, xiii. 258; xiv. 9; *see also Treasurer's Accounts*, iv. 414, 496. [3] Protocol Book of James Young. [4] Confirmed 4 January 1538-39, *Reg. Mag. Sig.* [5] *Ibid.*, at date. [6] *Treasurer's Accounts*, v. 330. [7] Protocol Book of J. Fowler, Edinburgh City Chambers. [8] *Reg. Mag. Sig.*, 15 February 1541-42. There is some confusion in this charter: the date of the deed confirmed is stated to be 10 July 1529, but the names of the witnesses point to its being some years earlier, apparently 1522. [9] Protocol Book of J. Fowler, Edinburgh City Chambers. [10] *Reg. Mag. Sig.* at date. [11] *Acta Dom. Conc. et Sess.*, xxiv. 69, and *Acts and Decreets*, x. 151. [12] *Exch. Rolls*, xv. 513-14. [13] *Reg. Sec. Sig.*, x. 94. [14] *Fourteenth Rep. Hist. MSS. Com.*, App. 3, p. 70. [15] *Reg. of Deeds*, xi. 112. [16] *Exch. Rolls*, xiv. p. cix.

John's sister 17 April 1543.[1] She married John Kincaid of Warriston, had issue, and died August 1569.[2]

Mr. THOMAS BELLENDEN succeeded his father, and obtained a confirmation of the above-mentioned charter of 1499 on 4 January 1538-39. On 22 June 1535 he was admitted an ordinary Lord of Session,[3] and on 10 September 1538 Director of Chancery.[4] On 26 December 1539 he was raised to the office of Justice Clerk.[5] On 10 September 1540 he had a charter from the Earl of Morton of the lands of Milkburn in the barony of Caldercleir.[6] In January 1540-41 he and Henry Balnavis of Hallhill were sent as commissioners for Scotland to meet Sir William Eure the English commissioner for the settlement of some disputes on the Border, and Bellenden is described in a letter from Eure to the Keeper of the Privy Seal in England as 'a man of good experience and eminent abilities.'[7] On 6 March 1541-42 he had an annualrent from the lands of Maloure, co. Perth.[8] He died before 25 June 1547.[9] He married Agnes Forrester,[10] and by her had:—

1. JOHN.
2. *Patrick*, of Stanehouse in Orkney. On 19 April 1565 he had a charter to himself and his wife Catherine Kennedy from the Bishop of Orkney and Shetland of certain lands in Orkney in feu-farm.[11] On 19 March 1565-66 he was among the number charged with complicity in the murder of Rizzio,[12] and was denounced as a rebel on 8 June following. He was Sheriff of Orkney, and had a charter 1 August 1568 of certain other lands there in feu-farm to himself and his wife, who died between the last-mentioned date and that of the confirmation of the charter 9 November 1575.[13] He is styled Sir Patrick Bellenden of Evie, knight, in a charter of 12 May 1587:[14] received the 'wand of peace' from the Privy Council 3 June 1572:[15] was clerk of the Coquet in Edinburgh 1572,[16] and called vicar of

[1] Protocol Book of Alex. Makneill. [2] Edin. Tests. [3] *Acta Dom. Conc. et Sess.*, vi. 140. [4] *Reg. Sec. Sig.*, xii. 25. [5] *Ibid.*, xiii. 39. [6] Confirmed 28 September 1540, *Reg. Mag. Sig.* [7] Pinkerton, ii. 356. [8] *Reg. Mag. Sig.* [9] *Reg. Sec. Sig.*, xxi. 22. [10] Original charter to them of the lands of Turnhouse 28 April 1520 in H. M. Reg. Ho. [11] Confirmed 18 February 1565-66, *Reg. Mag. Sig.* [12] *P. C. Reg.*, i. 437. [13] *Reg. Mag. Sig.* [14] *Ibid.* [15] *P. C. Reg.*, ii. 139. [16] *Ibid.*, 446.

Sprouston in a charter of 14 February 1587-88.[1] He is mentioned as alive in a deed of 15 May 1600,[2] and his testament was confirmed 21 July 1607.[3] He had at least three sons:—

(1) *Thomas*, styled 'appearand of Stanehous' 11 November 1592.[4] He died *v. p.*
(2) *Adam*, who succeeded to the estates.[5]
(3) *Patrick*, afterwards clerk of the Coquet of Edinburgh.[6]

3. *Margaret*, married, first, to James Denniston, burgess of Linlithgow; and second, to Robert Hamilton of Ecclesmachan or Inchmachan, and had issue by both.[7]
4. *Agnes*, married, first, after 5 May 1542, when she had a sasine as his affianced spouse,[8] to William Adamson, and had issue; secondly, to Alexander Somervell of Torbrex, a younger son of Cambusnethan.[9]
5. *Alison*, who had a sasine as the affianced spouse of John Achesoun, son and heir of John Achesoun, burgess of Edinburgh, 13 August 1555.[10]

Thomas had a natural son *George*,[11] perhaps the Mr. George, 'brother of Sir John of Auchnoull,' who was presented to the Chantry of Glasgow 1 February 1563-64.[12]

JOHN BELLENDEN of Auchnoull. He was director of Chancery in 1544, and succeeded his father as Justice Clerk 25 June 1547.[13] He was knighted before 1 April 1554.[14] He had a charter to himself and his wife Barbara Kennedy of the lands of Walkmylns and others in the Barony of Broughton 1 May 1559,[15] another of the office of usher of Exchequer on the resignation of John Vaus of Many, 31 May 1565,[16] two charters of 13 July 1574 from Margaret Dunbar, sister and co-heir of Andrew Dunbar of Loch, to himself and his wife Janet Seton of the lands of Corollachill and others in the parish of Mochrum, co. Wigtown.[17] He was commissioner for the treaty of peace with Anna of Oldenburgh signed at Aberdeen 19 October 1556, and

[1] *Reg. Mag. Sig.* [2] *Ibid.* [3] *Edin. Com.* [4] *Reg. Mag. Sig.* [5] *Gen. Reg. Inhibitions*, xli. 53; and *Reg. Mag. Sig.* [6] *Ibid.*, 24 December 1587. [7] *Acts and Decreets*, xliii. 151, 366. [8] Protocol Book of Andrew Brownhill, Edinburgh City Chambers. [9] *Reg. of Deeds*, xiv. 43; compared with the will of John her brother. [10] Protocol Book of John Makneill, Edinburgh City Chambers. [11] *Reg. Sec. Sig.*, lii. 153. [12] *Ibid.*, xxxii. 15. [13] *Ibid.*, xxi. 22. [14] *Reg. Mag. Sig.* [15] Confirmed 12 March 1559-60, *Reg. Mag. Sig.* [16] *Ibid.* [17] Confirmed 20 July 1574, *Reg. Mag. Sig.*

confirmed by the Queen 26 September 1557.[1] On 23 August 1565 he had a charter from Robert, Commendator of Holyrood, of the office of Bailiary and Justiciary of the regality of Broughton, and another of similar offices in Kers and Ogilface 24 April 1566.[2] He was present at the coronation of James VI. in 1567, and 'in name of the Estates and also John Knox minister and Robert Campbell of Kinzeancleuch asked acts, instruments and documents' for the recording of the proceedings.[3] He died 1 October 1576.[4] His testament is dated 19 September in the same year: after mentioning his son James he commits his 'remanent bairnes' to 'my lord Regent's Grace and my Lord Angus': orders Lewis his son and heir to serve these noblemen as he and his forebears had done, commends his natural daughter Agnes to the care of Lewis, and leaves an annuity of £20 to his 'cousin' Thomas Craig, afterwards known as Sir Thomas Craig, the great feudal lawyer.[5]

Sir John married three times:—

First, Margaret Scott, whose mother was Marion Scott, afterwards wife of George Henderson of Fordel.[6]

By her he had:—

1. *Catherine.*
2. *Mary.* These both died young.[7]
3. *Marion*, married, first, on Sunday, 22 October 1564,[8] to John Ramsay of Dalhousie (contract dated 5 October 1564);[9] secondly, to Patrick Murray of Falahill.[10] She had no issue, and died 19 January 1604.[11]

Sir John married, secondly, Barbara Kennedy, daughter of Sir Hugh Kennedy, of Girvanmains, and Dame Jane Stewart, Lady Methven. The marriage-contract was dated at Edinburgh 30 September 1554, Mary of Lorraine being a consenting party, and signing the document.[12] By her he had:—

4. Sir Lewis.

[1] *Reg. Mag. Sig.* [2] Confirmed 30 November 1571, *Ibid.* [3] Burton's *Hist. of Scotland*, iv. 285. [4] *Memorials of George Bannatyne.* [5] Riddell thinks that Craig's mother, Katherine Bellenden, may have been the daughter of Patrick, first of Auchnoull, but at the time of Craig's birth she was already married. [6] *Reg. of Deeds*, xv. 243. [7] *Acts and Decreets*, x. 233; *Reg. of Deeds*, xv. 243. [8] *Cal. of Scot. Papers*, ii. 88. [9] *Reg. of Deeds*, viii. 121. [10] *Acts and Decreets*, clxx. 257; *Reg. Mag. Sig.*, 1 June 1598. [11] *Edin. Com.* [12] Duke of Roxburgh's Papers, *Fourteenth Rep. Hist. MSS. Com.*, App. iii. 42.

5. *John*, alive in 1587.[1]
6. *Zachary*.[2]
7. *Robert*, mentioned in a contract of 1574, died young:[3] he may have been of the third family.
8. *Jane*, mentioned in her father's will.

Sir John married, thirdly, on Sunday, 14 January 1564-65,[4] Janet Seton, daughter, apparently, of Walter Seton of Touch. Queen Mary was a party to the marriage-contract, and promised him 1000 merks of tocher, mentioned in his testament as still unpaid at his death. By her, who survived him, and married, secondly, before 17 March 1579-80, as his second wife, John, Master of Forbes, afterwards eighth Lord Forbes,[5] he had:—

9. *James*, the eldest,[6] who succeeded to Kilconquhar, which was provided to the children by Jane Seton. He chose curators 15 April 1580, his nearest kinsmen being Sir Lewis Bellenden of Auchnoull, and Patrick Bellenden of Stenhouse on the father's side, and James Seton of Touch and Cristal his brother on the mother's side.[7] He is mentioned in his father's will as being in the King's service. He died 11 February 1593-94, drowned while skating on the loch, as his tombstone in Kilconquhar churchyard bears. His wife's name was Grisel Spens, and he left a son *James*, who died young, and two daughters.[8]
10. *Thomas*, 'wardatar' of Kilconquhar after his brother's death.[9] He was appointed a Lord of Session in 1591,[10] but apparently never took his seat on the bench. He married Marion Gilbert, widow of Thomas Bannatyne of Newtyle,[11] and died *s. p.* July 1597.[12]
11. *Adam*, graduated at Edinburgh 1 August 1590, ordained minister of Falkirk 19 July 1593; resigned his charge July 1616, and was promoted to the Bishopric of Dunblane the same year, after having been violently

[1] Fife Inhibitions, 9 June 1587. [2] *Liber S. Katherine de Senis*, 54, charter dated 15 February 1562-63. [3] Fife Inhibitions, *ut sup.* [4] *Cal. of Scot. Papers*, ii. 115. [5] *Acts and Decreets*, lxxix. 198; Macfarlane's *Gen. Coll.*, Scot. Hist. Soc., ii. 478; *Reg. Mag. Sig.*, 18 November 1581-82 and 16 August 1591. [6] *Acts and Decreets, ut sup.* [7] *Warrants of Acts and Decreets.* [8] Edin. Tests. [9] *Reg. Mag. Sig.*, 8 September 1599. [10] Brunton and Haig. [11] *Reg. Mag. Sig. ut sup.* [12] *Memorials of George Bannatyne.*

opposed to Episcopacy and one of the forty-two ministers who signed a protest to Parliament against its introduction, 1 July 1606. He succeeded to Kilconquhar on the death of his nephew James,[1] and in 1629 had a ratification in Parliament of these lands and Pitcorthie.[2] He was Dean of the Chapel Royal, Stirling, in 1633:[3] was promoted to the see of Aberdeen 2 August 1635.[4] He was deposed and excommunicated by the General Assembly in 1638, left Aberdeen 27 March 1639, went to England and obtained a pension of £100 from the King under another name: became rector of Portlock, co. Somerset, 1642, and died 1647 aged about 78. He married, 17 February 1595, Jean Abercrombie, probably daughter of Henry Abercrombie of Kersie in the parish of St. Ninians, and had by her:—

(1) *James*. (2) *Robert*.
(3) *William*. (4) *Alexander*.
(5) *Adam*.[5]
(6) *David*, minister of Kincardine O'Neil 1636-38.[6]
(7) *John*, who accompanied his father to England.[7] Testament confirmed 8 January 1650.[8]
(8) *Elizabeth*. (9) *Jean*.
(10) *Margaret*.

The five eldest sons were all dead in 1635,[9] and Margaret was the only surviving daughter in 1631.[10]

12. *Walter*, styled of St. John's Chapel, having married Jean Hamilton, one of the heirs-portioners of that estate.[11] He graduated at Edinburgh University 1593; and is mentioned along with his brother Adam as cautioner for his sister Elizabeth, 27 November 1609.[12]

13. *William* is said to have been another son: he was presented to the Vicarage of Kilconquhar in 1573,[13] married Anabel Pearson, and had by her a son, *Thomas*, who married, in 1625, Euphemia, daughter of Stephen Dudingston of Sandford.[14]

[1] *Reg. Mag. Sig.*, 29 July 1615. [2] *Acta Parl. Scot.*, iv. 651. [3] *Laing Charters*, No. 2124. [4] *Reg. Mag. Sig.* [5] *Laing Charters*, No. 2124. [6] *Reg. Mag. Sig.*, 23 June 1638. [7] *Ibid.* [8] *Edin. Com.* [9] *Gen. Reg. Sas.*, xlviii. 371. [10] *Reg. of Deeds*, ccccxxxviii.; all the other particulars relating to Adam's family are from Scott's *Fasti Eccl. Scot.* and authorities there quoted. [11] *Reg. of Deeds*, ccxvi., 10 December 1613; *P. C. Reg.*, x. 558. [12] *Reg. Mag. Sig.* [13] *Reg. Sec. Sig.*, xli. 111. [14] Wood's *East Neuk of Fife*, 2nd ed., 165.

14. *Elizabeth*. She is mentioned in her father's will. She married first, James Lawson of Humbie, and is described as his widow in certain charters of 1605, proceeding on the marriage-contract between James Fawside, younger of that ilk, and her daughter Janet, who afterwards married Sir John Edmonstone of that ilk, with issue to both husbands.[1] By that time she had married as her second husband Sir John Cockburn of Ormiston, Lord Justice-Clerk. On 15 March 1614 she had a charter to herself as Lady Ormiston, of the lands of Kirktonhill and others, co. Berwick,[2] and one on 26 July 1615 of the lands of Harthead, in the constabulary of Haddington.[3] Her husband died in 1623, at which time she was still alive.
15. *Annabel*, also mentioned in her father's will. She married, as his second wife, before 6 June 1599, Alexander Lauder of Halton,[4] who died before 18 May 1625,[5] but after 1622.[6]

Sir John had a natural daughter, *Agnes*, also mentioned in his will. She married, contract dated 19 February 1590-91, James Bellenden, fiar of Pittendreich.[7] In the Register of the Privy Seal there is a Royal confirmation, dated 30 June 1585, of a feu-charter of a quarter of the lands of Saughtonhall granted (no doubt many years before) by Robert, Commendator of Holyrood, to Patrick Bellenden, brother of Sir John of Auchnoull, with remainder successively to George Bellenden, natural brother of Patrick, and to John Bellenden of Pittendreich, which appears to show that the Pittendreich family were also of the same stock.

Sir Lewis Bellenden succeeded his father as Justice-Clerk 15 March 1576-77,[8] being then under twenty-five years of age, but he appears in his official capacity as witness to a royal charter on 31 August 1577.[9] He was knighted shortly thereafter. His name appears in a long series of charters; he had a charter of the lands of Castlelaw, Woodhouselee, and others, co. Edinburgh; Spotts and others, co. Kirkcudbright, and an annualrent from the

[1] *Reg. Mag. Sig.*, 27 November 1609 and 5 March 1642; *Laing Charters*, No. 2301. [2] *Reg. Mag. Sig.* [3] Confirmed 29 July 1615, *Ibid.* [4] *Reg. of Deeds*, lxvii. [5] *The Grange of St. Giles*, 242. [6] *Ibid.*, 243. [7] *Reg. of Deeds*, xxxvii. 307. [8] *Reg. Sec. Sig.*, xliv. 36. [9] *Reg. Mag. Sig.*

lands of Leswalt, co. Wigtown, on 14, confirmed 25, April 1581;[1] of the lands of Longcroft and others, co. Linlithgow, in April, confirmed 9 May, 1586;[2] of the barony of Ochiltre, co. Ayr, 9 August 1586;[3] of the lands and barony of Broughton in Edinburgh, Fawside in Haddington, Slipperfield, etc., in Peebles, Abbots Kerse, etc., in Linlithgow and Stirling, Whitekirk, etc., in Haddington, all incorporated into the barony of Broughton, 28 July 1587.[4] On 15 August in the same year he had a charter in feu-farm to himself and Sir John Maitland the Chancellor, of the county of Orkney and Lordship of Zetland, for the administration of justice there, an office which they resigned 1 April 1589.[5] He was made Keeper of the Castle of Linlithgow on the resignation of Sir Robert Melville of Murdocairny, 22 November 1587;[6] along with Patrick Bellenden, son of Patrick of Evie, he had a grant of the office of Clerk of the Coquet of Edinburgh, 24 December 1587.[7]

Sir Lewis was one of the 'Ruthven raiders' in the endeavour to overturn the ascendancy of the Duke of Lennox and the Earl of Arran in 1582.[8] In February 1584-85 he was sent on a mission to England for the purpose of denouncing the banished lords and to press Elizabeth for their surrender or expulsion. When he arrived in London, however, he was secretly ordered to agree to the plans of the Master of Gray for the ruin of Arran, and he returned home along with Wotton, the English Ambassador, who had private instructions for the undermining of Arran and the bringing back the banished lords.[9] He was already mixed up with the plots of the period, though outwardly he did not break with Arran, and was in Stirling Castle with him and the King when the banished lords succeeded in their project of his overthrow and dismissal in November 1585.[10] In the arrangements which took place on the momentous change of government Sir Lewis, in addition to his former offices, was made Keeper of Blackness Castle.[11] In 1589 he was appointed one of the ambassadors to the King's affianced bride in Norway,[12] and he sailed with the King for that country 22 October of that year. The

1 *Reg. Mag. Sig.* 2 *Ibid.* 3 *Ibid.* 4 *Ibid.* 5 *Ibid.* 6 *Ibid.* 7 *Ibid.*
8 *P. C. Reg.*, iii. 506 *note.* 9 *Ibid.*, iv. 745 *note*, 748 *note*; *Cal. of Border Papers*, Nos. 285-287. 10 *Border Papers*, i. No. 387; *P. C. Reg.*, iv. 27 *note.*
11 *Ibid.*, iv. 36 *note*; *Border Papers*, i. No. 388. 12 *P. C. Reg.*, iv. 121.

last occurrence of his name is as a witness to a charter 20 August 1591, and he died on Friday the 27th of the same month,[1] his death being occasioned, if we are to believe Scotstarvit, by fright, through a too successful attempt to raise the devil, in conjunction with a sorcerer of note, Richard Graham, who was burnt at the Cross of Edinburgh shortly afterwards.[2]

Sir Lewis married, first, Geilis, daughter of Sir James Forrester of Corstorphine, contract dated 10 February 1579-80.[3] She must have died soon after without issue.

He married, secondly, in 1581, contract dated 4 July,[4] Margaret, daughter of William, sixth Lord Livingston; she survived him, and afterwards married Patrick, Earl of Orkney, who dissipated her estates and left her to die in poverty.[5] By her Sir Lewis had:—

1. JAMES.
2. *William*, one of the adventurers for Ulster.[6]
3. *John*, also an adventurer for Ulster;[7] he was cautioner for his mother in 1619.[8]
4. *Margaret*.
5. *Anna*, probably posthumous, as she is not mentioned in her father's will. She, along with her brother John and her sister Margaret, was cautioner for her mother in 1619.[9]

There was a Mariota Bellenden who had a charter of the lands of Fulton in Ayrshire to herself and her spouse, John Chalmer in Troquhane, 26 February 1590-91, with consent of Sir Lewis for his interest.[10]

SIR JAMES BELLENDEN of Broughton had a charter of the lands of Magdalens, near Linlithgow, 1 June 1591,[11] wherein he is designed as eldest son and heir-apparent of Sir Lewis. He was under age on 24 January 1595-96, as Dame Margaret Livingston is there mentioned as his tutrix.[12] He had a somewhat stormy career, being frequently summoned before the Privy Council to answer for alleged wrongdoing. He died 3 November 1606.[13] He

[1] *Memorials of George Bannatyne*; Edin. Tests. [2] *Staggering State*, 131; *P. C. Reg.*, iv. 729 *n.* [3] *Reg. of Deeds*, xxxvii. 368. [4] *Ibid.*, xx. part ii. 7. [5] *Staggering State*, 131. [6] *P. C. Reg.*, vii. lxxxviii. 317. [7] *Ibid.*, 330. [8] *Ibid.*, xi. 560. [9] *Ibid.* [10] *Reg. Mag. Sig.* [11] *Ibid.* [12] *P. C. Reg.*, v. 671. [13] Edin. Tests., 29 November.

married 20 April 1601, Elizabeth, daughter of Sir William Ker of Cesford, sister of Robert, first Earl of Roxburghe. Willoughby writing to Cecil, says: 'The King is looked to be this day at Dalkeith with the Queen, and my lord of Roxburgh hopes for them both to be with him in Tyvidale this weke at the banquett of the marriage of Roxburgh's sister to Sir James Bellenden, who were married on Tuesday last; the banquett continuing still in hope of their presence to honour it with.'[1] Lady Bellenden survived her husband many years.[2] By her he had:—

1. WILLIAM.
2. *Margaret.* She had a charter as future wife of Henry Erskine, 14 December 1625.[3] Her husband was the third son of John, Earl of Mar, by whom he was assigned the peerage of Cardross. He died 1628.[4] She was alive January 1640.[5]

I. SIR WILLIAM BELLENDEN was served heir to his father 16 April 1607.[6] He was under age 6 October 1607, when with consent of his mother, as tutrix, he resigned the office of Bailie of the barony of Ogilface, which lands his father had sold to the Earl of Linlithgow.[7] He must have come of age between 28 July 1625, when, with consent of his mother and the Earl of Roxburghe, he resigned the lands of Saughton to Sir George Forrester of Corstorphine, and 16 March 1626, when, without consents, he resigned Saughtonhall in favour of Alexander Watson.[8] The family circumstances must indeed have been at this time at a low ebb, as he had to relinquish many of his estates, and also divested himself of the Keepership of Linlithgow Palace in favour of the Earl of Linlithgow.[9] He was a devoted royalist, and his name frequently appears in the political correspondence of the time.[10] He was rewarded for his services by being on 3 April 1661 appointed Treasurer-Depute,[11] and on 10 June following he was created a peer under the title of LORD BELLENDEN OF BROUGHTON, with remainder to the heirs-male of his body. He became a

[1] *Border Papers*, i. 1357. [2] Edin. Tests., 23 January 1656. [3] *Gen. Reg. Sasines*, xviii. 351. [4] *Herald and Genealogist*, iii. 522. [5] *Laing Charters*, 2272. [6] Retours, Edin., No. 218. [7] *Reg. Mag. Sig.* [8] *Ibid.* [9] *Ibid.*, 1 August 1627. [10] *Scotland and the Commonwealth*, 130, etc.; 'Lauderdale Correspondence,' Scot. Hist. Soc. *Misc.* vol. i. [11] *Acta Parl. Scot.*, vii. 98.

Privy Councillor the same year. In 1602 he had a gift from the Royal maintenance of £200.[1] On 1 June 1663 he was appointed Heritable Usher of the Exchequer,[2] and in 1668 one of the Commissioners of the Treasury. On 14 April 1671 he disinherited his sister Margaret, resigned his title and estates into the hands of the Crown, and had a re-grant in favour of his first cousin twice removed, John Ker, fourth son of William, second Earl of Roxburghe, and his heirs of entail, confirmed 12 December 1673.[3] He did not survive long after this, and, dying unmarried, was buried 6 September 1671 at St. Martin's in the Fields, London.[4]

II. John, second Lord Bellenden, was the son of William Drummond, second Earl of Roxburghe (who was the fourth son of John, second Earl of Perth), by his wife Jean, granddaughter of Robert, first Earl of Roxburghe, the brother of the first Lord Bellenden's mother, and daughter of Henry Ker, Lord Ker.[5] He was served heir of entail and provision to his predecessor in the title, 23 December 1671; as his father was only married in 1655, he cannot have been more than a boy at the date of the service; but he had a charter 12 December 1673 confirming him in the office of Usher of Exchequer.[6] As a young man he seems to have been somewhat hot-headed, if we are to believe a story of his having one July night in 1689 shot a soldier of Mackay's regiment dead because he had declared he was for King William and Queen Mary.[7] This outrage involved him in considerable trouble; he was confined in Edinburgh Castle for some time, and the incident was the subject of several communications which are to be found in the Leven and Melville correspondence.[8] He ultimately appears to have acquiesced in the change of dynasty, probably because he found that it did not pay to be in opposition. His finances were not in a very flourishing state, as the Duke of Queensberry writes to Carstares on 31 July 1700 as follows: 'I must entreat of you to speak to the King in favour of my Lord Bellenden; he has con-

[1] *Acta Parl. Scot.*, vii. 419. [2] *Reg. Mag. Sig.*, lib. lxiv. 41. [3] *Reg. Mag. Sig.* [4] *Complete Peerage.* [5] Add. Case for Sir James Innes Ker, Roxburghe Peerage Case, 5. [6] *Reg. Mag. Sig.* [7] Oldmixon's *Memoirs*, 74. [8] Bannatyne Club.

tinued very firm to his Majesty's interest though there has been great pains taken to make him otherwise. He has a numerous family and not much to support it, and because I knew he was a little straightened I have given him £100, for which I desire a warrant payable to me.' Lord Bellenden married, 10 April 1683, Mary Moore, widow of William, third Earl of Dalhousie (who died in 1682), and second daughter of Henry, first Earl of Drogheda.[1] She died 17 March 1725-26.[2] Lord Bellenden died March 1707; by his wife he had issue:—

1. JOHN, third Lord Bellenden.
2. *Robert*, born 5 March 1689,[3] died *s. p.*
3. *William*, born about 1702, went into the army and rose to be lieutenant-colonel in the Third Regiment of Horse 3 April 1733, which regiment was altered to Dragoon Guards in 1745. Of it he appears as colonel in 1747, and was senior lieutenant-colonel in the army in 1754. He died in 1759, having married in 1726, Jacomina Farmer of Normington, co. Lincoln. The licence is dated at Evesham, 16 April 1726, and describes the bridegroom as of Warwick, aged about 24, the bride a maiden about 21; to be married at Folkingham, co. Lincoln.[4] By her he had:—
   1. WILLIAM, seventh Lord Bellenden, who succeeded as fourth Duke of Roxburghe. (*See that title.*)
   2. *Jacomina*, married, 4 April 1749, to Thomas Orby Hunter of Waverley Abbey, co. Surrey, M.P., with issue.
4. *James*, nothing is known of him except that he was a brother of Lord Bellenden, and that he had the following children:[5]—
   (1) *James*, of Bigods in Essex, captain 21st Foot. Died before 28 January 1763 *s. p.*[6]
   (2) *Elizabeth*, married to Edward Kelly, Dublin.
   (3) *Jemima*, styled spinster in 1762.
   (4) *Mary*, married Sir Richard Murray, Bart.
5. *Sir Henry*, known to his contemporaries as Harry Bellenden, 'a good-looking scapegrace.' He was appointed Governor of Hurst Castle 30 July 1745; Gentleman Usher of the Black Rod, September 1747; and was knighted 22 June 1749. He died *s.p.* 7 April

[1] *Fifteenth Rep. Hist. MSS. Com.*, *Drumlanrig Papers*, part vii. 187. [2] *Genealogist*, N. S., vii. 43. [3] Edin. Reg. [4] Add. Case for Sir James Innes Ker, Roxburghe Peerage, 10, 11. [5] *Ibid.*, 10. [6] *Ibid.*, 12.

1761.[1] Horace Walpole writes to General Conway 10 April: 'Poor Sir Henry Bellenden is dead; he made a great dinner at Almack's for the House of Drummond, drank very hard, caught a violent fever, and died in a few days.'

6. *Margaret.* She was, along with her better-known sister, a correspondent of Lady Suffolk, and is, with her, commemorated by Gay,

> 'Madge Bellenden, the tallest of the land,
> And smiling Mary, soft and fair as down.'

7. *Mary*, appointed a Maid-of-honour to Caroline, Princess of Wales, in or perhaps before 1716. She was one of the most celebrated of the beauties of the court, and also one of the most lively, though her conduct never seems to have afforded the slightest room for scandal. Walpole describes her in the following terms: 'Her face and person were charming: lively she was almost to *étourderie*, and so agreeable she was that I never heard her mentioned afterwards by one of her contemporaries who did not prefer her as the most perfect creature they ever knew.' She is thus eulogised in a ballad of the period,

> 'But Bellenden we needs must praise,
> Who, as down the stair she jumps,
> Sings "O'er the hills and far away,"
> Despising doleful dumps.'

She married, in 1720, Colonel John Campbell, one of the Grooms of the Prince's Bedchamber, who afterwards became fourth Duke of Argyll. She died 18 December 1736, and her remains were borne, it is stated, with unusual honours from Somerset House (of which she had the appointment of Keeper) to the Church of St. Anne, Westminster, where they were interred.[2] She was mother of the fifth Duke of Argyll (*see that title*), and other children.

III. JOHN, third Lord Bellenden, born 1685, succeeded his father 1707, and served heir to him 16 July 1709.[3] He died 16 March 1740-41, in the fifty-fifth year of his age, and was buried at Westmill, co. Herts,[4] having married, at Radwell,

[1] Min. of Evid. Sir James Innes Ker's Case, 10. [2] *Notes and Queries*, 4th ser., xi. 116, 182; 7th ser., x. 221. [3] Addit. Case for Sir Jas. Innes Ker, 7. [4] Cussan's *Hist. of Hertfordshire*; Roxburghe Peerage, Min. of Evid., 161; admon. 11 April 1741, P.P.C.

co. Herts, 3 September 1722, Mary, daughter of John Parnell of Baldock, in the same county, and had by her (who was baptized at Baldock 26 June 1702,[1] and died 23 November 1792, in her ninety-first year, being buried at Westmill[2]) the following children:—

1. KER, fourth Lord Bellenden.
2. ROBERT, sixth Lord Bellenden.
3. *Jane*, married, 8 January 1741, to Ephraim Miller of Hertingfordbury, and died 27 May 1763.[3]
4. *Caroline*, married, 18 March 1760, to John Gawler of Rambridge Cottage, Weyhill, Hampshire, and of the Inner Temple, who died at Bath 24 December 1803, aged seventy-seven. She died 1 April 1802, leaving issue:—
   (1) *John Bellenden Gawler* of Bishopsgate, co. Surrey, captain 2nd Life Guards, 20 January 1790; retired 1793; assumed by royal licence, dated 5 November 1804, the surnames of Ker and Bellenden in lieu of Gawler. He was a distinguished botanist, and died June 1842, aged about seventy-seven, at Rambridge.[4]
   (2) *Henry Gawler* of Lincoln's Inn and Rambridge Cottage aforesaid.
5. *Mary*, married John Eatt of Cambridge, whom she survived, dying at Egham 15 May 1805, aged eighty.
6. *Diana*, married John Bulteel of Membland, co. Devon, and had issue.
7. *Alice*, died unmarried at Westmill, 19 October 1796.
8. *Henrietta*, died unmarried.[5]

IV. KER, fourth Lord Bellenden, born 22 October, and baptized at Walkerne, co. Herts, 11 December 1725.[6] He succeeded his father 1740, was an officer in the Royal Navy, and died at Woolwich, near London, 2 March 1753,[7] aged twenty-eight, and was buried at Westmill. He married at Erith, 13 March 1749,[8] Elizabeth, daughter of Richard Brett, clerk of the cheque in Deptford Dockyard, and by her, who died 21 January 1798, aged seventy-one, and whose will, dated at Wickham, Hampshire, was proved 16 February 1798 at London, had issue an only son—

[1] *Complete Peerage.* [2] Cussan, *ut sup.* [3] *Ibid.* [4] *Complete Peerage.* [5] All these children mentioned in Sir James Innes Ker's Case, *ut sup.* [6] Par. Reg. [7] His tombstone in Westmill Churchyard gives the date as 13 March 1754, but the date in the text is taken from his testament, which must be right, as it was confirmed in August 1753. [8] Erith Par. Reg.

V. JOHN KER, fifth Lord Bellenden, born at Woolwich, co. Kent, 22 August 1751,[1] succeeded his father 1754, and had a grant from the King, 23 April 1755, of a salary of £250 per annum as Usher of the Exchequer, which grant was confirmed by George III. 4 April 1761. He was ensign in the 25th Regiment of Foot in 1775, but soon after that date retired from the army. He died *s.p.* and insolvent at Edinburgh 20 October 1796, and his office of Usher of Exchequer was sequestrated by his creditors. He married, 26 June 1789,[2] Sarah Cumming of Montego Bay, Jamaica, widow, a mulatto,[3] but by her, who died in Golden Square, London, 21, and was buried 29, November 1794, at St. Marylebone,[4] had no issue. He was succeeded by his uncle,

VI. ROBERT, sixth Lord Bellenden, born 7 April and baptized 23 April 1734,[5] at Westmill. He was captain in the 111th Regiment of Foot in 1761, and 68th Regiment in 1767. He had a grant from the Crown of £250 salary as Usher of the Exchequer 8 February 1797.[6] He died unmarried, and was buried at Westmill 23 October 1797.[7] The title then devolved on

VII. WILLIAM, son of Colonel the Hon. William Bellenden, third son of John, second Lord Bellenden. He succeeded in 1804, when he was seventy-six years of age, as fourth Duke of Roxburghe. (*See that title.*)

CREATION.—10 June 1661.

ARMS.—Gules, a hart's head couped between three cross-crosslets fitchee within a double tressure flory counter flory or.

CREST.—A hart's head couped with a cross crosslet fitchee between the attires.

SUPPORTERS.—Dexter, the figure of Justice, holding a sword in her right hand and a pair of scales in her left. Sinister, the figure of Peace holding in her hand a palm branch, all proper.

MOTTO.—*Sic itur ad astra.*

[J. B. P.]

[1] Roxburghe Peerage Case, Min. of Evid., 161. [2] Kearsley's *Peerage.* [3] *Complete Peerage.* [4] *Ibid.* [5] Westmill Par. Reg. [6] Peerage Case, Min. of Evid., 165. [7] Westmill Par. Reg.

Blantyre

STEWART, LORD BLANTYRE

THOMAS STEWART, second son of Sir William Stewart of Dalswinton (*see title* Galloway), got a charter of the lands of Sealaws and Morebattle, and a third part of the barony of Minto, with the superiority of the whole barony, 2 November 1476;[1] on 10 August 1477 he had a charter of the lands of Househill, in Lanarkshire;[2] and on 20 February 1489-90 another of the lands of Busby in the same county.[3] He married Isabella, daughter and co-heiress of Walter Stewart of Arthurle by Janet Cameron his wife.[4] He died 1500, and was buried before the altar of Our Lady in the cathedral of Aberdeen,[5] leaving issue:—

1. JOHN.
2. *William*, born about 1479, was parson of Lochmaben, rector of Ayr, and a prebendary of Glasgow. In 1527 he was made Dean of Glasgow, was appointed Lord High Treasurer 2 October 1530, and held that office for seven years. At the same time he got the Provostry of Lincluden, and on 14 November 1532 was made Bishop of Aberdeen. In February 1533-34 he was sent with Sir Adam Otterburn, the King's

[1] *Reg. Mag. Sig.* [2] Confirmed 25 June 1489, *Ibid.* [3] *Ibid.* [4] *Ibid.*, 25 June 1459. [5] *Ibid.*, 16 September 1550.

Advocate, as an ambassador to England, to negotiate a treaty of peace. He administered the affairs of his diocese with much acceptance, and was a considerable benefactor to the see.[1] 'He was,' Spottiswood says, 'a man given to virtue, charitable to the poor, and ready to every good work.'[2] He died April 1545, and was buried in the cathedral of Aberdeen.

3. *Malcolm.*[3]
4. *Nicol* or *Nicholas.*
5. *Robert*, who on 15 February 1514 is styled brother-german of the late John Stewart, knight, and for whom his brother William receives 105 merks as his 'portion natural.'[4]
6. *Agnes*, married John Stewart of Cardonald, son of Alan Stewart of Cardonald, and had issue, a daughter, Agnes.[5]
7. *Marion*, married Adam Maxwell of Southbar, third son of Herbert, first Lord Maxwell.
8. *Margaret*, married Charles Pollok of Pollok, with issue.[6]

Sir John Stewart of Minto. He had a charter to himself and his wife of the barony of Minto and lands of Busby in Lanarkshire 23 February 1502-3.[7] He was knighted between 27 May and 6 June 1508.[8] He was Provost of Glasgow, as his father had been, and though generally said to have been killed at the battle of Flodden, died between July and October 1512, as his son Robert was infeft in some of his lands on or about 26 October of that year.[9] His wife's name was Janet Fleming. They had issue:—

1. Sir Robert.
2. ——, a son, referred to in an instrument of 28 January 1512-13 as brother of Robert.[10]
3. *Jonet*, called elder daughter in same writ, when she received a gift from her mother.[11]

Sir Robert Stewart of Minto was served heir to his father in the lands of Houshill in lordship of Darnley, the

[1] Crawford's *Lives*, 374. [2] *Hist.*, 106. [3] Glasgow Protocols, iii. 320. [4] Protocol Book of Gavin Ross, i. f. 296. [5] *Reg. Mag. Sig.*, 1 February 1444-45. [6] Crawford's *Renfrew*, 209. [7] *Reg. Mag. Sig.* [8] *Ibid.* [9] Protocol Book of Gavin Ross, i. 4b. [10] *Ibid.*, f. 10b. [11] *Ibid.*

lands of Ferme Comyn and Hagbank, near Ruglen, Wester Pertik, and part of Arthurle in Renfrew, and Antermony Wester, at different dates between 26 October and 12 November 1512.[1] He was Provost of Glasgow in 1528;[2] and had a charter to himself and his wife of the barony of Minto and lands of Morebattle and others 7 January 1529-30.[3] He was 'principal Marshal' to the King 1529.[4] He was dead before 7 November 1553.[5] His wife's name was Janet Murray, and by her he had:—

1. Sir John.
2. *Walter.*
3. *Robert.*
4. *Malcolm.*[6]
5. *Mr. Adam.*[7]
6. *Elizabeth.* She had an assignment to her on 11 February 1536-37 of the marriage of Robert Maxwell of Calderwood, granted to her father by the King. In virtue of the powers conferred by the grant Maxwell was summoned to marry Elizabeth, daughter of David Barclay of Collairnie, so that a double avail of the marriage might be exigible if she was refused.[8] Elizabeth Stewart ultimately married, as his second wife, Sir John Maxwell of Calderwood, brother of the above-mentioned Robert.

Sir John Stewart of Minto was served heir to his father 20 May 1555. When about seven years old he was contracted in marriage to Margaret, eldest daughter of George Maxwell of Cowglen, a girl of the same age. This marriage never appears to have been entered into, as on 8 November 1543, after the death of Margaret Maxwell, which occurred between 8 November 1542 and 20 January 1542-43, he raised a summons of reduction of certain dues which had been granted in security of the marriage on the ground that such obligation to marry (the parties being minors) was from the first contrary to canon law.[9] He

[1] Protocol Book of Gavin Ross, i. ff. 4b, 6a-8a. [2] Glasgow Protocols. [3] *Reg. Mag. Sig.* [4] *Exch. Rolls*, xv. 545. [5] *Ibid.*, xvii. 563. [6] Glasgow Protocols, iii. 920. [7] *Ibid.*, v. 1424. [8] There were four Robert Maxwells of Calderwood in succession at this period, of whom the above was the third; he is omitted by Fraser in *The Maxwells of Pollok*, i. 469. [9] Fraser's *Maxwells of Pollok*, i. 458; *Chartulary of Pollok*, 343.

must have married very shortly afterwards, as he had a charter on 16 February 1543-44 to himself and his wife, Joanna Hepburne, of the lands of Wester Perthwik, in the county of Renfrew.[1] He was Provost of Glasgow, and bailie of the barony, which latter office he had got from the Earl of Lennox when he became Regent. He was Keeper of the Castle of Glasgow from May 1568[2] till 9 November 1573, when James Boyd, the Archbishop, got possession of it. Robert, Lord Boyd, also usurped, in the same year, the office of bailie, till, in 1578 the King resumed it as Earl of Lennox,[3] and the same nobleman was in 1574 nominated as Provost, but Sir John (who had been knighted previous to 10 March 1563-64) obtained possession of that office again before his death.[4] He was also in 1566 Chamberlain of Galloway above Cree.[5] He died in February 1582-83, and was buried in the cathedral of Glasgow. There is an interesting monument there, noteworthy as one of the few examples of old brasses in Scotland. It bears the following inscription:—

HEIR . AR . BVREIT . S . WALTER . SR THOMAS . SR IHON . AND .SR ROBERT . SR IHON . AND SR MATHEW . BY . LINEAL . DESCENT . TO . VTHERIS . BARONS . AND . KNIGHTS . OF THE . HOVS . OF . MYNTO . WT . THAIR . WYFFIS . BAIRNS . AND . BRETHEREIN.

By the side of the inscription there is a representation of one of the barons, in armour, kneeling and looking towards the sun, surrounded with rays in the upper corner. The inscription is not more accurate than the ordinary sepulchral memorial, as the name of Sir Thomas's father was William, not Walter, and Sir Thomas himself is said, in the charter above quoted, to have been buried at Aberdeen.

Sir John married, first, Johanna Hepburn, and had by her:—

1. *Sir Matthew.* On the appointment of Mr. Robert Montgomery, minister of Stirling, to be Archbishop of Glasgow, in 1581, he was opposed by the people, and Sir Matthew, who was then Provost of Glasgow, being desirous of obeying the King's commands, went to the church and pulled Mr. Howie, whom the

[1] *Reg. Mag. Sig.* [2] *P. C. Reg.*, ii. 301-302. [3] *Ibid.*, ii. 697. [4] Glasgow Protocols, v. 1490; viii. 2477. [5] *Exch. Rolls*, xviii. 321.

parishioners had got to officiate at the time when the Archbishop should have been inducted, out of the pulpit, and injured him severely. On this Mr. Howie denounced the judgment of God on Sir Matthew and his family; and certainly the fortunes of the family began to decay, and the last Laird of Minto, Sir John Stewart, went about 1699 with the Scots expedition to Darien, where he died, having been reduced to such penury that he was supported by his relative Lord Blantyre.[1]

Sir Matthew married, first, Jonet, eldest daughter of Alexander Stewart, tutor of Castlemilk,[2] and, second, Jean, eldest daughter of Sir John Colquhoun of Luss, by Agnes Boyd his wife.[3] He had issue:—

(1) *Walter*, who, on 25 January 1598-99, was contracted to Christian, eldest daughter of James Crawfurd of Ferme, and Annabella Hamilton, his spouse.[4]

(2) *Robert*, eldest son by second wife, had an annualrent of 200 merks from his father.[5]

2. *John*.[6] He married Elizabeth —— and had two daughters, co-heiresses, Margaret and Jonet.[7]

Sir John married, secondly, Margaret, second daughter of James Stewart of Cardonald,[8] and by her had:—

3. WALTER.
4. *Robert*, though perhaps he was by the first wife.[9]
5. *Janet*, married, 1570,[10] Archibald Stewart of Castlemilk. He died 1612,[11] and she died the following year and was buried at Carmunnock.
6. *Marion*, married to William Cleland of that Ilk.
7. *Agnes*, married to John Wallace of Auchans and Dundonald.
8. ——, a daughter, said to have been married to Crawford of Ferme.

Sir John had also a natural son, *John*.[12]

I. WALTER STEWART, known for long under the designation of the Prior of Blantyre, was the only son of his

[1] *Statistical Account*, vi. 110; Fraser's *Chiefs of Colquhoun*, i. 138. [2] *Reg. Mag. Sig.*, 4 August 1569. [3] Fraser's *Chiefs of Colquhoun*, *ut sup.* [4] Glasgow Protocols, xi. 3411-3415. [5] *Ibid.*, 3603. [6] *Ibid.*, 1564, iii. 787. [7] *Ibid.*, 19 November 1585, ix. 2793-94. [8] Crawford's *Renfrew*, ed. 1782, 229. [9] Glasgow Protocols, 29 April 1564, iii. 787; 8 September 1571, vi. 1710. [10] *Reg. Mag. Sig.*, 28 November 1570. [11] Glasgow Tests. [12] Glasgow Protocols, 8 September 1571, vi. 1790.

father's second marriage. He was brought up along with James VI., under George Buchanan, and had the Priory of Blantyre bestowed on him by that monarch, and is designed Commendator of Blantyre 1580, when he was nominated one of the Gentlemen of the Bedchamber.[1] He first appears as a Privy Councillor 15 November 1582.[2] He also got the office of Privy Seal, formerly held by Buchanan, who died in September of the last-mentioned year. He was made assessor to the Treasurer 26 April 1583,[3] and was tutor to the Duke of Lennox.[4] In January 1595-96 he was appointed one of the Octavians,[5] and seems for a time to have officiated as Chancellor in that year.[6] On 6 March 1595-96 the office of Treasurer, including the abolished post of Treasurer-depute, was bestowed on him,[7] and he introduced many new regulations into his department. He resigned his office as an Octavian 7 January 1596-97.[8] Mr. Robert Bruce, one of the most popular of the Presbyterian clergy in Edinburgh, having fallen under the displeasure of the King, his Majesty had stopped a pension which he had received by royal gift from the revenue of the Abbey of Arbroath. Bruce took proceedings against the King before the Court of Session. Amongst other judges who began to hear the case was the Treasurer, but his leanings in favour of Bruce had been so marked that the other judges thought it more expedient that he should not hear the case to the end. The judgment, given in the most independent way by the Court, was against the King. The latter was of course furious, and his resentment lighted on his old friend the Prior, who had actually given no judgment in the case. He was committed to ward in Edinburgh Castle and compelled to resign the Treasurership, 17 April 1599.[9] He was not long in ward, however, as he is mentioned as sitting in Council on the 19 May following. The goodwill of James, indeed, was not long withheld from him, and on 11 March 1600 there was an Act passed acknowledging in a very handsome way his long and faithful services to his Sovereign.[10]

The Prior signed, in December 1604, the abortive treaty

[1] Crawford's *Lives*. [2] *P. C. Reg.*, iii. 528. [3] *Ibid.*, 565. [4] *Ibid.*, iv. 177. [5] *Ibid.*, v. 254. [6] *Cal. of State Papers*, ii. 700. [7] *P. C. Reg.*, v. 289; cf. Fraser's *Melvilles*, iii. 140. [8] *P. C. Reg.*, v. 357. [9] *Ibid.*, 549. [10] *Ibid.*, vi. 92.

of that Union which was not destined to be carried into effect for another century.[1] He sat on the bench as an assessor in the trial of the six ministers for illegally holding a General Assembly at Aberdeen, 10 January 1606.[2] A little incident, illustrating his good sense and judgment, occurs in the records at this time. The son of the Constable of Dundee [Scrymgeour] having been very rude to a citizen for not taking off his hat to him, the matter was brought before the Privy Council, and though the opinion of many of the noblemen present was that the burgess had only been treated as he deserved, the Prior and others thought the young Constable should be admonished not to repeat his conduct.[3]

On 10 July 1606 he was raised to the Peerage under the title of LORD BLANTYRE. 'Walter Stewart, prayour of Blantyre ves maid knight of Cardonald and thairafter barone, banaret and lord of our Sovereign Lord's Parliament and ordained in all tyme thereafter to be called Lord of Blantyre.'[4] In March 1607 he was a Commissioner to the Synod of Lothian in the subject of the 'Constant Moderatorships,' and on 10 March 1609 he acted as an assessor in the trial of Lord Balmerino on the charge of treasonable correspondence with France.[5] In the beginning of 1610 he was appointed one of the members of the newly-constructed Council.[6] He was one of the commissioners for considering the question of the government of the Highlands and Islands,[7] and was a Justice of the Peace of the counties of Edinburgh, Lanark and Renfrew.[8]

'The good old prior of Blantyre'[9] died full of years and honour, 8 March 1617.[10] He married Nicolas, fourth daughter of John Somerville of Cambusnethan (contract 13 April 1582[11]), by his wife Catherine, daughter of Patrick Murray of Philiphaugh,[12] and had by her, who survived him, three sons and one daughter:—

1. *Sir James Stewart*, married Dorothy Hastings, born 15 January 1579, second daughter of George, fourth Earl of Huntingdon, but had no issue by her. She after-

[1] *P. C. Reg.*, vii. p. xxxiv. [2] *Ibid.*, 164. [3] *Ibid.*, 185. [4] Carmichael's *Tracts*, 28. [5] *P. C. Reg.*, vii. 344; viii. 259, 260. [6] *Ibid.*, viii. p. xiii. [7] *Ibid.*, viii. p. lix. [8] *Ibid.*, ix. 76, 77. [9] *Cal. of State Papers*, ii. 700. [10] Edin. Tests. [11] *Reg. of Deeds*, xl. 330. [12] *Memorie of the Somervilles*, i. 425-496.

wards married, about 1609, as his second wife, Robert Dillon, second Earl of Roscommon. Sir James having quarrelled with Sir George Wharton, the eldest son of Lord Wharton, was challenged by him to a duel, which was fought with sword and dagger at Islington 8 November 1609. Both combatants were killed on the spot, and were, by the King's command, interred in one grave in the churchyard there.[1] There are two interesting letters from the Scottish Privy Council to the Secretary of State and the Treasurer, the Earl of Dunbar, regarding this affair, 17 November 1609. 'To the Secretary the Council say that they can do no less in this tyme of that heich displeasour of the agit fader, who is so far overcome with anguish, greiff, and sorrow, that he is altogidder insensable and cairles of his advis, then to recommend him to your good lordship,' that measures might be taken to prevail on the King to allow Lord Blantyre to succeed to his son's effects: the letter to the Treasurer is of similar import.[2]

2. WILLIAM, second Lord Blantyre.
3. *Walter*, a doctor of medicine, who married and had two daughters:—

(1) *Frances Teresa*, a cheery and vivacious beauty of the court of Charles II., and with whom that monarch was much in love. She was ultimately married privately, in March 1666-67, to Charles, Duke of Richmond. 'La belle Stewart,' as she was called, was made a Lady of the Bedchamber, and took smallpox shortly after her marriage. She is said to have divided the latter years of her life between cards and cats. She died 15, and was buried 22, October 1702 in Westminster Abbey, having bequeathed the bulk of her property to her cousin's son William, afterwards fifth Lord Blantyre, for the purchase of certain estates to be called 'Lennox's love to Blantyre.' He purchased accordingly the estate of Lethington in Haddingtonshire, and changed its name to Lennoxlove. There is a portrait of her by Sir Peter Lely; Bothier, the engraver to the Royal Mint executed a medal of her, and she served as model for the figure of Britannia on the copper coins.[3]

(2) *Sophia*, married the Hon. Henry Bulkeley, Master of the Royal Household, fourth son of Thomas, first Viscount Bulkeley.

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[1] *Gentleman's Mag.*, November 1800. [2] *P. C. Reg.*, viii. 607. [3] *Memoirs of Count de Grammont*, edition 1889; i. 147; ii. 233-237.

4. *Mr. John.*[1]
5. *Anna*, called 'senior filia,' married (marriage-contract 30 December 1608) to John, eighth Lord Abernethy of Saltoun.[2] He died in 1612, and his widow had subsequently, by James, Marquess of Hamilton, a natural daughter, Margaret, who was married to James Hamilton, first Lord Belhaven.[3]
6. *Jean.*[4]

II. WILLIAM, second Lord Blantyre, created a Knight of the Bath 2 June 1610.[5] He was served heir to his grandfather 30 August 1614, and to his father 12 June 1621. He had a grant to himself and his future spouse, Helen Scot, on the resignation of his parents, of the barony of Blantyre and other lands 12 August 1615, and of the lands and mansion of Blantyre Craig 20 June 1616.[6] He was a Justice of Peace for Edinburgh in 1620.[7] He died 29 November 1638.

He married Helen, daughter of Sir William Scot of Ardros, and Jean Skene (of Curriehill). By her he had:—

1. WALTER, third Lord Blantyre.
2. ALEXANDER, fourth Lord Blantyre.
3. *William*, baptized 10 August 1626;[8] probably died young.
4. *James*, baptized 28 October 1627,[9] died in infancy.[10]
5. *Helen*, eldest daughter, married to Mr. Thomas Hamilton of Parkley, son of Thomas, second Earl of Haddington.[11]
6. *Jean*, baptized 16 January 1620.[12] In 1638 she contracted an irregular marriage with a son of Patrick Lindsay, Archbishop of Glasgow.[13]
7. *Margaret*, married to John Swinton of Swinton (marriage-contract 28 December 1644 and 10 January 1645[14]). She died in childbed in the Castle of Edinburgh, where her husband was at the time imprisoned, December 1662.[15]
8. *Marie*, who died, before April 1648, unmarried.[16]

[1] *Reg. of Deeds*, cclxiii., 2 July 1617. [2] *Reg. Mag. Sig.*, 14 February 1609. [3] Stodart MS. [4] *Reg. of Deeds*, cclxxxv. 23 June 1619. [5] Nicolas's *Orders of Knighthood.* [6] *Reg. Mag. Sig.* [7] *P. C. Reg.*, xii. 769. [8] Torphichen Par. Reg. of Baptisms. [9] Edinburgh Reg. [10] Canongate Burials, November 1627. [11] *Gen. Reg. Sas.*, 2nd ser., xvi. 284; also *Acts and Decreets*, DLXIII. 125; *Decreets*, Durie, 23 June 1677. [12] Edinburgh Reg. [13] Stodart MS. [14] *Reg. Mag. Sig.*, 7 February 1650. [15] *The Swintons of that Ilk*, 71. [16] *Reg. of Deeds*, DLXI. 16 October 1649.

III. WALTER, third Lord Blantyre, was served heir to his father 11 May 1639.[1] He married Margaret, daughter of Sir William Mure of Rowallan,[2] sasine to her as his future wife 24 September 1641,[3] and dying without issue, in October 1641,[4] was succeeded by his brother,

IV. ALEXANDER, fourth Lord Blantyre. He married Margaret, daughter of John Shaw of Greenock, by Helen Houston his wife. On 7 September 1649 he granted a charter with consent of his curators, to her of certain lands in liferent.[5] He was one of the 'Engagers' who offered in 1647 to put the arms of Scotland at the disposal of Charles I. In the proceedings which were subsequently taken by Parliament against the Engagers, Lord Blantyre was fortunate enough to escape punishment, a special Act being passed, 30 June 1649, declaring that although he had acted as the routemaster of a troop, yet seeing he was 'drawin thairinto throw perswasioune of perverse counsall and out of ane vaine and chyldisch desyr to see the ordour and fashione of arms,' he was pardoned on condition of giving satisfaction to the General Assembly.[6] At this time it is stated he was a minor, and out of the kingdom, so he must have returned to Scotland shortly after, and proceeded to marry Margaret Shaw. The date of his death is not known, but must have been previous to 1690. By his wife he had:—

1. ALEXANDER, fifth Lord Blantyre.
2. *Helen*, married (contract 6 June 1672[7]) to James Muirhead of Bredisholme, whom she survived, and died in Glasgow 1735.[8]

V. ALEXANDER, fifth Lord Blantyre. In 1689 he is found taking the oath of allegiance after the Revolution, and subscribing the oath declaring the legality of the meeting of Estates summoned by the Prince of Orange,[9] and he signed a letter of congratulation to King William. He gave a still more practical proof of his adherence to the Hanoverian Government by raising a regiment of six hundred Foot, and got a commission as its colonel.[10] He

[1] Ret. Lanark, 198. [2] *Hist. of the House of Rowallan*, 88. [3] *Gen. Reg. Sas.*, l. 153. [4] Test. confirmed 28 June 1643, *Glasgow Com.* [5] *Laing Charters*, No. 2397. [6] *Acta Parl. Scot.*, vi. ii. 410. [7] *Gen. Reg. Sas.*, xxix. 455. [8] Test. confirmed 1 April 1735, *Glasgow Com.* [9] *Acta Parl. Scot.*, ix. 9. [10] *Ibid.*, 50, 57.

wrote to Lord Melville, 1 July 1689: 'I have levied one regiment for his Majesty's service, and I hope it shall be found inferior to none of the other regiments; and this week I have advanced near eight hundred lib. sterline for cloathing them, and shall have them readie at a call when ever the King shall command them; and if his Majesty think fit to honour me with his commands . . . I shall desire to possess life and fortune no longer than my willingness continues to venture them for my religion and King.'[1] At the meeting of Convention, 9 June 1702, his Lordship was one of the seceding members who protested against its legality, and was by them sent up to London with an address to Queen Anne containing the reasons of their procedure; this her Majesty refused to receive, but granted Lord Blantyre personally an audience. In the same year he got a great accession of fortune through the death of his relative the Duchess of Richmond and Lennox as mentioned above. In 1703 he had a serious quarrel with the Commissioner the Duke of Queensberry, and called him in presence of the Lord Advocate 'a base and impudent liar.' On a complaint by the Lord Advocate he was ordered into the custody of the High Constable, but speedily made his submission. He was, however, brought before the House, and the Lord Chancellor said that the Commissioner was pleased to dispense with his making his acknowledgment of fault on his knees, but besides being obliged to beg pardon of the Commissioner and the Estates, he was mulcted in a fine of £5000.[2] Lord Blantyre died 20 June 1704. There is a graphic description of him given by Macky;[3] 'a very busy man for the liberty and religion of his country, yet whatever party gets the better, he can never get into the administration . . . very zealous for the Revolution. . . . A little, active man, but thinks very seldom right, and can neither speak nor act, but by overdoing spoils all. He loves to be employed, and therefore is often made the finder of a party; can start the hare, but hath no other part in the chase; makes but a mean figure in his person, very short of stature, short-sighted, fair complexioned, towards fifty years old.'

[1] *Leven and Melville Papers*, 146. [2] *Acta Parl. Scot.*, xi. 74.
[3] Characters.

He married, first, Margaret, eldest daughter of John Henderson of Fordel, Bart., without issue; second, in or before 1683, Anne, sister of John, second Lord Belhaven (*see that title*), by whom, who died at Bath about 31 December 1722, he had:—

1. Walter, sixth Lord Blantyre.
2. Robert, seventh Lord Blantyre.
3. *John*, admitted to the Faculty of Advocates 21 February 1710, died 16 February 1740.[1]
4. *James*.
5. *Hugh*, died in Ireland 7 February 1769.[2]
6. *Marion*, married at Cardonald, 24 February 1704, to James Stirling of Keir. Postnuptial contract dated 29 February 1704. She had by her husband no less than fourteen sons and eight daughters, and died at Cawdor 20 March 1770.[3]
7. *Frances*, married, 2 March 1707, to Sir James Hamilton of Rosehall, Bart., without issue.
8. *Helen*, married, about 1715, to John, Lord Gray, with issue.
9. *Anne*, married to Alexander Hay of Drummelzeir; died in March 1743, leaving issue.

VI. Walter, sixth Lord Blantyre, born 1 February 1683.[4] He voted against the Union in Parliament, but was afterwards chosen one of the sixteen Representative Scottish Peers at the general election in 1710. He died at Westminster of a fever, 14 June 1713,[5] unmarried, and was buried in the Richmond vault in Henry VII.'s Chapel, in Westminster Abbey. He was succeeded by his next younger brother,

VII. Robert, seventh Lord Blantyre. He was a captain of a regiment of Foot, and was serving in Minorca when the succession opened to him. He died at Lennoxlove 17 November 1743, and was buried at Blantyre.

He married, first, Helen, eldest daughter of John, fourth Earl of Strathmore, by whom he had:—

1. *Alexander*, died young.

He married, secondly, Margaret, daughter of the Hon.

[1] Edinburgh Tests. [2] *Edinburgh Mag.* [3] Fraser's *Stirlings of Keir*, 73. [4] Edinburgh Reg. [5] *Political State of Great Britain*, 459.

William Hay of Drummelzier, brother of the first Marquess of Tweeddale (*see that title*), and by her, who died at Lennoxlove 13 December 1782, aged eighty-five, had:—

2. WALTER, eighth Lord Blantyre.
3. WILLIAM, ninth Lord Blantyre.
4. ALEXANDER, tenth Lord Blantyre.
5. *John*, died unmarried.
6. *James*, a captain, Thirtieth Foot Guards, with the rank of lieutenant-colonel in the army, killed at the battle of Guildford, North Carolina, 15 March 1781.
7. *Charles*, was in the civil service of the Honourable East India Company, and a member of the Supreme Council of Bengal.
8. *Margaret*, died unmarried at Lennoxlove 4 June 1794.
9. *Helen*, married, 1 April 1755, to Oliver Colt of Auldhame, and had:—
   (1) *Robert*, born 22 September 1756, admitted to the Faculty of Advocates 1777, and died at Dover 29 December 1797. He married, 22 September 1778, Grizel, daughter of Robert Dundas of Arniston. She died 27 September 1798, leaving issue.
   (2) *Oliver*.
   (3) *Margaret*.
   (4) *Mary*, married at London, 8 January 1796, to Charles Pye of Wadley, Berks, major, Third Dragoons.
   (5) *Helen*, married in June 1785 to Sir David Rae of Eskgrove, second baronet, son of Lord Eskgrove, with issue four daughters.
   (6) *Elizabeth*, married, 2 January 1802, to James Willis of the India House, and died May 1803.
10. *Marion*, died unmarried at Lennoxlove 27 November 1780.
11. *Elizabeth*, married at Edinburgh, 15 April 1760, as his first wife, Captain William Colquhoun of Garscadden,[1] and died 27 April 1772, without issue.

VIII. WALTER, eighth Lord Blantyre, resided much abroad. Lady Jane Douglas, writing from Utrecht, 10 February 1747, says: 'Among the rest of the British, young Lord Blantyre deserves the greatest praise. He has extreme good sense, the best scholar, the greatest application, a vast pleasure in reading, and the best taste in books, is free from all manner of vice, and has the sweetest temper in

[1] 'Register of old St. Paul's,' *Scot. Antiq.*, v. 150.

the world, and to all appearance will be a very great honour to his country.'[1] Allowed £200 on abolition of Heritable Jurisdictions, as compensation for his regality of Kirkpatrick.[2] He died, unmarried, at Paris, 21 May 1751, in the twenty-fifth year of his age, and was buried, 9 July, at Blantyre. There are two poetical tributes to his memory in the *Scots Magazine*, 1751.

IX. WILLIAM, ninth Lord Blantyre, succeeded his brother; was a colonel in the service of the States of Holland, and died, unmarried, at Erskine, 16 January 1776.[3]

X. ALEXANDER, tenth Lord Blantyre, succeeded his brother. He resided at Erskine, and took much interest in the management of his estates, and in agriculture generally. He is described as 'an amiable and respected nobleman, and a most worthy and useful citizen. His conduct as a landlord was not only humane but highly judicious, as it equally tended to promote the real interest of the proprietor and tenant, and the general advantage of the country.'[4] He died, at Clifton, 5 November 1783. He married, 23 July 1773, Catherine, eldest daughter and heiress of Patrick Lindsay of Eaglescairnie, by his wife, Margaret Haliburton: she died 29 December 1822, leaving issue:—

1. *Margaret*, born 16 August 1774; married, 5 October 1809, Rev. Dr. Andrew Stewart, minister of Bolton, who had been presented to that parish by her brother, Robert, Lord Blantyre, in 1804, and was translated to Erskine in 1815. He had taken his degree as a Doctor of Medicine, and is said to have successfully treated his wife for consumption. He died, 26 December 1838, in his sixty-eighth year. She died, 20 October 1839, aged sixty-four, leaving a son, Robert, who succeeded his father in the parish, and married a daughter of Lord Cockburn.[5]
2. ROBERT WALTER, eleventh Lord Blantyre.
3. *Sir Patrick*, G.C.M.G., of Eaglescairnie, colonel Nineteenth Foot, born 10 June 1777; died 7 February 1855; married, 20 July 1810, Catherine Henrietta,

[1] Defender's Proof, Douglas Cause. [2] Heritable Jurisdiction Writs, Gen. Reg. Ho. [3] Glasgow Tests. [4] Old *Statistical Account*. [5] Scott's *Fasti Eccl. Scot.*, ii. 247.

eldest daughter of Hon. John Rodney, and had issue.

6. *William*, lieutenant-general, was an officer in the Eighteenth Foot Guards, and served in the expedition to Holland 1799; born 29 August 1778, died 15 February 1837.
7. *Charles*, barrister-at-law, of Lincoln's Inn and the Inner Temple; born 25 October 1780, died 2 December 1858.

XI. Robert Walter, eleventh Lord Blantyre, born 26 December 1775, educated at Eton. Ensign in the Third Foot Guards 1795, afterwards captain in Thirty-First Foot and Seventh Dragoons, and lieutenant-colonel Forty-Second Highlanders. He served in Holland in 1799, in Egypt in 1801, as A.D.C. to General Stuart, in the expedition to Pomerania and Zealand in 1807, and in the Peninsular War in 1809. He rose to the rank of lieutenant-general, and was made a Companion of the Bath, 4 June 1815. He was elected one of the sixteen Scottish Representative Peers, 1806; and was for some time Lord-Lieutenant of Renfrewshire. He was accidentally killed by a shot fired during the Revolution in Brussels while looking out of the window of his hotel there, 22 September 1830.

He married, in Edinburgh, 20 February 1813, Fanny Mary, second daughter of the Hon. John Rodney, son of the celebrated Admiral Lord Rodney, and had by her, who was born 17 April 1791, and died 19 November 1875:—

1. *Alexander*, died *v. p.* February 1814.
2. Charles Walter, twelfth Lord Blantyre.
3. *William*, K.C.M.G., C.B., born 3 March 1824; Secretary to Embassy at St. Petersburg; married, 6 September 1866, Georgina, eldest daughter of Major-General George Borlase Tremenheere, and died *s. p.* 1 April 1896. She died 3 January 1901.
4. *Walter Rodney*, born 16 July 1826; died 13 September 1838.
5. *James*, lieutenant-colonel Rifle Brigade, born 28 July 1827; died, unmarried, 11 April 1870.
6. *Henry*, born 30 June 1830; died 13 April 1842.
7. *Catherine*, born 28 February 1815; married, 28 March

1843, to William Rashleigh of Menabilly, Cornwall, who died 31 October 1871. She died 8 November 1872.

8. *Fanny Mary*, born 17 April 1816; married, as second wife, 10 August 1847, to William Busfield Ferrand, M.P., of Harden Grange, Yorkshire, who died 31 March 1889. She died 18 December 1896.
9. *Georgiana Eliza*, born 17 June 1821; married, 27 May 1857, to the Right Hon. Sir Andrew Buchanan, Ambassador Extraordinary at St. Petersburg and Vienna, who died 13 November 1882. She died at Castle Grant 21 March 1904.
10. *Caroline Henrietta*, born 4 March, died 19 October 1825.
11. *Caroline* (twin with Henry), born 30 June 1830; married, 12 August 1850, to John Charles, Earl of Seafield.

XII. Charles Walter, twelfth Lord Blantyre, born 21 December 1818; Representative Peer 1850-92; D. L. Lanark and Renfrew. He died 15 December 1900, when the Barony became extinct. He married, 4 October 1843, Evelyn Sutherland Leveson-Gower, second daughter of George Granville, second Duke of Sutherland, who died 24 November 1869, and had issue:—

1. Walter, Master of Blantyre, born 17 July 1851, captain 1st Sutherland Highlanders; died, unmarried, 15 March 1895.
2. *Mary*, born 15 September 1845.
3. *Ellen*, born 21 August 1846; married, 15 June 1864, Sir David Baird, Bart., and has issue.
4. *Evelyn*, born 24 June 1848; married, 7th March 1871, to Archibald, third Marquess of Ailsa; and died 26 July 1888, leaving issue.
5. *Gertrude*, born 11 October 1849; married, 30 September 1875, to William Henry Gladstone, who died 4 July 1891, and had issue.
6. *Blanche*, born 6 March 1867; died 7 September 1868.

Creation.—Lord Blantyre, 10 July 1606.

Arms.—Not recorded in Lyon Register, but given by

Nisbet as—Or, a fess chequy azure and argent, surmounted of a bend engrailed, and in chief a rose gules.

CREST.—A dove with an olive leaf in its mouth proper.

SUPPORTERS.—Dexter, a savage wreathed about the head and middle with laurel, holding in his right hand a baton, all proper: sinister, a lion rampant gules.

MOTTO—*Sola juvat virtus.*

[J. B. P.]

BORTHWICK, LORD BORTHWICK

SETTING aside the suggestion of a continental origin,[1] it seems probable that the family of Borthwick derived its surname from the lands or territory so called, lying along the Borthwick Water,[2] on the borders of Selkirk and Roxburgh; and it certainly gave the name to the parish of Borthwick, known more anciently as Lochorwart, in the county of Edinburgh.

THOMAS DE BORTHWICK obtained a charter from John of Gordon, Lord of that Ilk, of the half-lands of Ligertwood, near Lauder, in Berwickshire, which is not dated, but must have been granted between 1357 and 1367.[3] His son and heir, William de Borthwick, was concerned in a cause with Thomas de Hay, regarding the lands of Middleton,

[1] See, however, Hay's *Estimate of the Scottish Nobility*, 1577, ed. Rogers 1873, 21; Douglas, 1764, 76, citing Martin of Clermont's MSS. ii.; and Martin again in Macfarlane's *Gen. Coll.*, ii. 131. [2] The name of the lands occurs in the form 'Bordewich,' in charters by the Avenel family to the monks of Melros, in the reign of William the Lion, 1165-1214; and the town and territory of Bortwic appear in a grant between 1214 and 1249 (*Lib. de Melros*, 30, 34, 237). An evident belief in the high antiquity of the name prompted Scott to introduce 'old Borthwick's roaring strand' in the first canto of his *Lay*; and Leyden, in his *Scenes of Infancy*, speaks of 'Bortha hoarse' rolling her red tide to the Teviot. [3] Charter in Gen. Reg. House, No. 151. John Major has a story, which he places as early as 1361, of a 'lord' Borthwick, who made his escape from captivity in England (*History*, Scot. Hist. Soc., 299).

Borthwick

Midlothian, in 1368,[1] and there is no reason to doubt that this son was

Sir William Borthwick, who in 1378 was in possession of the lands of Catcune,[2] Midlothian, and who appears to have been variously described as of Catcune, of Ligertwood, and of Borthwick. He was employed as an ambassador or commissioner in the reigns of Robert III. and James I., and went to England on many diplomatic missions, from 1398[3] to 1413. On 21 September 1405 he was one of the hostages for Archibald, Earl of Douglas, who had been taken, for the second time, at the battle of Shrewsbury.[4] He obtained a charter of the lands of Borthwic and Thoftcotys in Selkirkshire, 4 June 1410. Between 1408 and 1414 he is several times noticed in conjunction with William de Borthwick, his son.[5] The name William occurs as that of the eldest son in six or seven successive generations in the main line of the family, and in seven successive generations of the Soltray branch, and difficulty has always been experienced in distinguishing any one William from those coming immediately before and after him. There is still room for hesitation at the starting-point, as elsewhere, but, looking to the dates, the probability is that the first knight died in or soon after 1414, and was succeeded by his son,[6]

Sir William Borthwick, the second of Borthwick, who was Captain of Edinburgh Castle in 1420, and had the collection of customs delegated to him, although not himself free from the charge of having been a depredator.[7] He was one of the hostages given for James I. when he was allowed to visit Scotland in 1421, and a commissioner to treat for his release in 1423. Again, he was a hostage for his Majesty when he was permitted to return to his own kingdom in 1424. In 1425 he was on the assize for the trial

[1] *Acta Parl. Scot.*, i. 505b, 506a. [2] Charter cited by Douglas, 1764, 76. [3] Three treaties with the English, 26 and 28 October and 6 November 1398, in which he took the lead on the part of Scotland, are printed in Borthwick's *Inquiry into the Feudal Dignities*, 1775, 59, 68, 71. His seal shows on a shield couché, three cinquefoils, two and one; crest, a dragon's head and neck; supporters, two lions sejant (*Cal. Doc. Scot.*, iv. Nos. 510, 512). [4] Godscroft, 1644, 123; *Douglas Book*, i. 374; *Cal. of Docs.*, iv. 707. [5] *Douglas Book*, iii. 368, 408, 411; *Reg. Mag. Sig.* [6] According to Douglas, 76, 526, a daughter of Sir William Borthwick married Sir John Oliphant of Aberdalgy, but it would be rash to say of which Sir William. [7] *Exch. Rolls*, iv. 224, 321, 322.

of Murdoch, Duke of Albany, and in the same year one of the substituted hostages for the ransom of the King sent to England, where he remained till 1427, when an order was issued for his liberation from the custody of the Prior of Durham. On 2 June 1430 he obtained from the King a letter of licence[1] to erect, at the Mote of Lochorwort, what has been authoritatively described as 'by far the finest of our castles built on the model of the keep.'[2] Borthwick Castle superseded Catcune as the principal residence of the family, but Catcune remained a possession for more than two centuries afterwards.[3] It has been often stated that the Peerage was created in the person of this Sir William, but that he died a commoner, before 7 March 1449-50, is proved by the description of his daughter, Lady Dalkeith, in a Crown charter of confirmation, as 'filia quondam Wilelmi de Borthwick de eodem militis.'[4] He is known to have had issue:—

1. William, first Lord Borthwick.
2. *Janet*, married, first, as his second wife, to James Douglas, Lord of Dalkeith (whose first wife was the Princess Elizabeth, third daughter of Robert III.), and, secondly, to George Crichton, Earl of Caithness.
3. *Margaret*, married, first, to William de Abernethy,[5] killed at Harlaw, 24 July 1411, and, secondly, after 9 December 1421, by Papal dispensation, to William de Douglas, her sister's stepson.

I. Sir William Borthwick, the third of Borthwick, had a letter of safe-conduct to pass through England, 9 June 1425, being, with the Bishops of Aberdeen and Dunblane, and seven others, ambassador from Scotland to Rome. He is said to have been knighted at the baptism of Alexander and James, the twin sons of James I., in 1430. In a Crown charter of 4 December 1450 he is described as 'Wilelmus de Borthwic de eodem';[6] he is designed as Lord Borthwick in two Crown charters of 1454,[7] the one dated 21 July and the other 27 October; and he sat as a Lord of Parliament under the title of LORD BORTHWICK, and sealed, as one

[1] *Reg. Mag. Sig.* [2] MacGibbon and Ross, i. 344. [3] Part. Reg. of Sas., Edin., 19 December 1663. [4] *Reg. Mag. Sig.* [5] Robertson's *Index*, 167, No. 29. [6] *Reg. Mag. Sig.* [7] Innes, *Scotch Legal Antiquities*, 126; *Reg. Mag. Sig.*

of the barons, the instrument of forfeiture against James, ninth and last Earl of Douglas, on 17 June 1455.[1] He must have been raised to the Peerage in the interval between 4 December 1450 and 21 July 1454. According to the Auchinleck Chronicle, a number of lords were 'maid' in the Parliament which began its sittings at Edinburgh 12 June 1452, including 'The lord borthuik of that Ilk.'[2] No instrument creating the dignity being extant, and a contrary descent not having been shown, the destination has been held to be to the heirs-male of the body of the grantee. In Parliament, 14 March 1457-58, the Chancellor, addressing himself to James, third Lord Dalkeith, who was about to marry the Princess Joan, sister of James II., stated that the King purposed to create him Earl of Morton, whereupon Lord Borthwick, on behalf of his sister Lady Dalkeith, represented that the lands of Morton heritably belonged to her and her son, and prayed that the King might do nothing to the prejudice of their rights. In answer the Chancellor explained that Lord Dalkeith was not to receive his title from Morton in Nithsdale, but from Morton in the territory of Caldercleir, of which declaration Lord Borthwick had a formal record preserved.[3] In 1459, 1461, 1463, and 1464-65, William Lord Borthwick was engaged in diplomatic relations with England, but as the date of the death of the first Lord is unknown, it is impossible to say whether these missions ought to be assigned to him or to his son. His lordship had issue:[4]—

1. William, second Lord Borthwick.
2. *Margaret*, married to Sir John Maxwell of Calderwood, before 4 December 1450.[5]

II. William, second Lord Borthwick, appears to have been more than once ambassador to the English court, and had a safe-conduct as such on 7 August 1471 and again on

[1] *Acta Parl. Scot.*, ii. 77a. [2] Ms. of John Asloan, *Ane schort memoriale*, 127, print ed. Thomson, cir. 1818. [3] *Suth. Addl. Case*, 55; Macfarlane's *Gen. Coll.*, ii. 288. [4] Sir Archibald Dundas of Dundas is said to have married Agnes, daughter of a William, Lord Borthwick (*Dundas Letters*, ed. Macleod, xvi. citing Martin's Collections). John Borthwick, whose descendants claimed the Peerage in 1774 and 1812, on the ground that he was a son of the first Lord Borthwick, acquired the lands of Crookston, Midlothian, by charter from Sir Alexander Ramsay of Dalwolsy, dated 17 July 1446. [5] *Reg. Mag. Sig.* as above, and 19 January 1477-78.

24 August 1473. He was one of the Lords Auditors in 1467. On 21 November 1458 the first Lord obtained a gift under the Great Seal of the marriage of Mariota de Hoppringill of that Ilk, from which it has been reasonably inferred that she became the wife of his son, now under notice. James III. held Yule in 1473 at Edinburgh, and the Lady Borthwick is specially mentioned as one of those invited to share in the festivities.[1] The second Lord died between 6 October 1483 and 7 February 1483-84,[2] leaving issue:—

1. William, third Lord Borthwick.
2. *James*, of Glengelt, 1467. Appointed to choose men to garrison Hume and other castles, and to command in person at Hume, 1481.[3] Left issue.
3. Sir *Thomas*, of Colylaw, 1473, married Helen Rutherfurd, and by her had

   Alan, of Colylaw and Bourhouses, 1503.[4]

4. *Alexander*, living in 1495.

III. William, third Lord Borthwick, was knighted in his father's lifetime. On 20 September 1484 he was one of the guarantees of a treaty with England. He was one of the Lords Auditors in 1484 and 1485, and in the latter year Master of the Household to James III.[5] He was witness to a charter by the King on 28 May 1488,[6] a few days before His Majesty's death at Sauchie, and on the Committee of Causes 1488-91,[7] and the Council of James IV. and the Privy Council 1489.[8] The charter alleged to have been granted by him on 5 December 1489, 'dilecto filio meo naturali Alexandro Borthwick et Margarete Lawson sponse sue,' and the precept and sasine following thereon, all mentioned in Douglas's *Peerage*, edited by Wood, ii. 653, and in Riddell's *Inquiry into the Law and Practice in Scottish Peerages*, 580, were annulled by the Court of Session, the precept on 9 June 1868 and the charter and sasine on 28 February 1871. He was one of the conservators of a treaty with England 30 September 1497 and 12 July

[1] *Lord Treasurer's Accounts*, i. 46. [2] Minutes of Evidence on claim of Archibald Borthwick, 116. [3] *Acta Parl. Scot.*, ii. 140. [4] *Reg. Mag. Sig.*, 1 December 1503. [5] *Exch. Rolls*, ix. 298. [6] *Acta Parl. Scot.*, vi. pt. ii. 230a. [7] *Ibid.*, pt. ii. 212b, 224a, 229b. [8] *Ibid.*, pt. ii. 215a, 220b.

1499. Lord Borthwick died fifteen days before Pentecost 1503,[1] having had issue:—

1. WILLIAM, fourth Lord Borthwick.
2. *Adam*, living 1496-1505.[2]
3. *Alexander*, of Nenthorn,[3] and in Johnstonburn, who married Margaret Lawson (whom Douglas states to have been a daughter of Lawson of Humbie),[4] and died before 17 August 1513, leaving:[5]—

(1) *William*, first of Soltray[6] and in Johnstonburn, who married Janet Sinclair, and died before 9 May 1541, leaving:—

i. *William*, second of Soltray and in Johnstonburn, who died before May 1549, leaving:—

(i) *William*, third of Soltray[7] and of Johnstonburn. Married Katherine Creighton, and died in 1563. His wife survived him and married James Lawson.[8] William Borthwick had issue:—

a. *William*, fourth of Soltray[9] and of Johnstonburn. Forfeited his estates, 11 July 1604 (as having incurred the penalties of treason under the Act 1587, c. 50), for breaking into the house of

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[1] Retour in lands of Aberdour, 3 October 1503, Records of Sheriff Court of Aberdeen; *Lord Treasurer's Accounts*, ii. 408. [2] Protocol Book of John Fowler. [3] Nenthorn was acquired by Sir William Borthwick from William, Earl of Douglas, 15 May 1449, *Fifth Rep. Hist. MSS. Com.*, App. 611. [4] Of this family, and of this period, was Marjory Lawson (Lady Gleneagles), the 'fair Lady, freshe and gay' of Squyer William Meldrum, living in the pages of Sir David Lyndsay. [5] The male descent from Alexander Borthwick to Archibald Borthwick, 1808, and Cunninghame Borthwick, 1868, having been established on the claim of the latter, it has not been thought necessary to give here the references to the Minutes of Evidence. [6] Soltray or Soltra (*pron.* Soutra), in the county of Haddington (now transferred to Midlothian), was long famous for its church and hospital, in connection with Trinity College, Edinburgh, and from the college the family held the estate. 'Broad Soltra's mountains' form a feature of the landscape in Sir Walter Scott's ballad of 'Thomas the Rhymer.' The residence of the Borthwicks of Soltray for nearly two hundred years was at Johnstonburn in Haddingtonshire, and the other lands belonging to them in the sixteenth century were Nenthorn and Threeburnford in Berwickshire, Reidhall and Bissatslands in Haddington, and Nether Sheills, Sheillie and Campaslack, Nettlingflatt and Hangingshaw in the county of Edinburgh. [7] In Letters of Reversion, 10 April 1563, Master David Borthwick of Lochhill describes William Borthwick of Soltray as his cousin (*Laing Charters*, 757). There is, however, nothing to show how the King's Advocate came into the pedigree. [8] Acts and Decreets, xlviii. 48. [9] Douglas says (but without giving his authority) that William Borthwick of Soltray was Chamberlain to Queen Mary and made a considerable figure in her reign. She had certainly a member of her household named Borthwick, but the identity is doubtful.

James Scrymgeour of Fordell and stealing four horses, and for using and uttering false coin. Married Barbara Lawson, and died 24 January 1640, 'commending his soull into the hands of Jesus Chryst, his onlie Saviour.' He left:—

(a) Colonel *William*, fifth of Soltray and of Johnstonburn, who appears to have recovered possession of the estates, subject to certain rights in favour of his father. In the service of Gustavus Adolphus at the time of the battle of Lutzen, 1632,[1] and abroad at a later period, his affairs in Scotland being managed by his brother Alexander. He married Janet Lies, and died before January 1663, leaving:—

a. Major WILLIAM of Johnstonburn, *de jure* eleventh LORD BORTHWICK. Married at Duddingston,[2] 28 April 1665, Marion Moorehead, and died between 1687 and 28 June 1690.

There is built into the garden wall at Johnstonburn a monument, probably removed from Humbie churchyard, bearing a coat of arms and this epitaph, commemorating a member of the family whose identity is uncertain:[3]—

'Here lyes interr'd within
this pile of ston
A Borthwick bold.
Scarce left he such a one:
Treu to his God and loyal
to his king,
Ane galand man, and just
in everything.'

Major Borthwick had issue:—

a. Colonel WILLIAM of Johnstonburn, *de jure* twelfth LORD BORTHWICK, baptized 8 February 1666.[4] Married

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1 Douglas, 1764, p. 79; Monro's *Expedition*, 102. 2 Parish Register of Humbie. 3 According to Douglas, Major Borthwick raised a company in support of Charles I. The fact may be, either that it was he who took part in the Civil War, or that his father came home for a time to do so. A Colonel William Borthwick was made prisoner at Worcester, 1651, but appearances point to his having been of a different family. 4 Parish Register of Humbie, and so for baptisms of his brothers and sisters.

Jean, daughter of Robert Ker of Kersland.[1] He entered the Cameronian Regiment as captain on its formation in 1689, and was wounded at Dunkeld[2] and at Blenheim,[3] and killed at Ramillies,[4] 23 May 1706. Left no issue.

β. *David*, baptized 27 October 1675, predeceased William without issue.

γ. *Walter*, predeceased William, without issue.

δ. *Robert*, baptized 7 June 1687, predeceased William, without issue.

ε. *Barbara*, baptized 9 May 1677; married, June 1702, to William Borthwick of Falahill. Survived her eldest brother, and left issue.[5]

ζ. *Helen*, baptized 3 July 1678; died early.

η. *Isobel*, baptized 13 May 1683; died early.

θ. *Katherine*, baptized 8 June 1685. Survived her eldest brother.

ι. *Marion*, died early.

(*b*) *Alexander*, successively in Johnstonburn, Gilchriston, and Saltcoats (Haddington). Married Sibilla (who died in 1650), daughter of William Cairnes of Pilmuir, and had issue:—

a. *William*, of Pilmuir and Mayshiell,[6] chirurgeon in Edinburgh. Surgeon to Earl of Mar's Regiment, 31 January 1684, and Surgeon Major of the Forces in Scotland, 24

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[1] Robertson's *Ayrshire Families*, ii. 294. [2] Crichton's *Blackader*, 97. [3] Ferguson's *Scots Brigade*, ii. 23. [4] Lieut.-Col. Blackader, writing to his wife of the victory at Ramillies, says, 'What puts water in my winecup is that poor Colonel Borthwick was killed that day, behaving like a gallant man. We buried him yesterday at his colours' (Crichton's *Life*, 278). 'In the evening . . . laid in the bed of honor' (*The Remembrance*, Scot. Hist. Soc., xxxviii. 382). [5] Her descendant, Mrs. Anne Jane Mower (*née* Steuart), gave evidence at the bar of the House of Lords, in the Borthwick case, on 12 July 1869. [6] He bore, argent, a heart proper betwixt three cinquefoils sable; crest, an eagle rousant proper; motto, Nec deerit opera dextra (Lyon Register, 1673-78).

March 1686.[1] Married, first, January 1666, Marion, eldest daughter of James Borthwick of Stow. She died March 1676, and by her he had (besides other children who died young):—

(α) *Mary*, married to Sir Alexander Livingston of Glentirran.

(β) *Margaret*, married, January 1698, to John Campbell of Knockreoch.

He married, secondly, October 1677, Marjorie, youngest daughter of Harie Steuart, brother of Sir Thomas Steuart of Grantully, by whom he had:—

(γ) Captain HENRY of Pilmuir, *de jure* thirteenth LORD BORTHWICK. He received from Queen Anne, 12 May 1702, his commission in the Cameronians, then in Holland. Mortally wounded at Ramillies,[2] 23 May 1706, and died on the 27.[3] His four days' survival of his kinsman, Col. William of Johnstonburn, placed him in right of the Peerage for that period. He married Mary, daughter of Sir Robert Pringle of Stitchill, Bart., and left issue:—

A. WILLIAM, of Pilmuir, *de jure* fourteenth LORD BORTHWICK, who died before 28 November 1723, without issue.

B. HENRY, of Mayshiell, fifteenth LORD BORTHWICK.

William Borthwick, chir-

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[1] *Laing Charters*, 2822, 2840. [2] Blackader says, 'We advanced and made our dispositions to attack, and whenever we came near enough they cannonaded us furiously all the time we were advancing. We had here about twenty men killed and wounded. Poor Harry Borthwick was the first, and had his leg shot off by a cannon ball,' (*Life*, 276). [3] Retour of his son Henry, 7 April 1724.

urgeon, married, thirdly, 1682, Euphame Young, and died in July 1689.

β. *Alexander*, died, without issue, before 1689.

γ. *John*, baptized 30 July 1648; died early.

δ. *Adam*, died, without issue, before 1689.

ε. *Thomas*, in Saltcoats; died, November 1672, without issue.

ζ. *Agnes*, married, 22 June 1654, to George Pringle, brother to James Hoppringle of that Ilk.

η. *Sibilla*, baptized 7 July 1650.

b. Alexander, in Reidhall, afterwards of Sauchnell, died before 24 January 1640, leaving:—

(a) *Andrew*, of Sauchnell, M.A. (Edin.), 1623, who married Margaret Turnbull, and had:—

α. *Charles*, of Sauchnell, writer in Edinburgh, born about 1638; died, 15 May 1718, without issue.

β. *Archibald*, M.A. (Edin.), 1659; minister of Greenlaw, 1693; chaplain to Lord Polwarth's Dragoons, 1708; and minister of Polwarth, 1709.[1] By his first marriage he had:

(a) Patrick, in Castlesteads, merchant in Leith, *de jure* sixteenth Lord Borthwick. Married Marion Scott, and died, 6 October 1772, having had an only child,

A. Archibald, merchant at Christiansand, afterwards banker in Edinburgh, *de jure* seventeenth Lord Borthwick, born 13 May 1732.[2] Married, April 1777, Margaret Nicolson, daughter of James Scott, C.S., who died 8 December 1833. Claimed the Peerage in 1808; served heir-male of Henry, Lord

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[1] Scott's *Fasti*, i. 416, 423. [2] Parish Register of Inveresk.

Borthwick, 29 January 1810; and died 13 July 1815, having had eight children, of whom the following attained majority:—

(A) PATRICK, merchant in Leith, afterwards manager of the National Bank of Scotland, *de jure* eighteenth LORD BORTHWICK. His portrait, a three-quarter length, hangs in the board-room of the Bank. Born 12 September 1779; married, 13 November 1804, Ariana, second daughter of Cunningham Corbett,[1] merchant in Glasgow, son of John Corbett of Tolcross, who died 30 December 1836. Claimed the Peerage in 1816, and died 12 April 1840, having had:—

AA. ARCHIBALD, C.A., *de jure* nineteenth LORD BORTHWICK, born 31 August 1811. Head of the firm of Borthwick and Raleigh, afterwards Borthwick, Howden, and Molleson. Married, September 1840, Mary Louisa, daughter of John Home-Home of Longformacus, who died 22 November 1868. He died 3 July 1863, having had:—

(AA) *Patrick*, born 23 February 1843,

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[1] Mr. Corbett privately printed *The Families of Boyds of Kilmarnock Porterfields of Porterfield, and Corbetts of Tolcross*, Glasgow, 1816, 4to.

died 26 January 1844.

(BB) *John Home*, born 25 October 1847, died 19 December 1848.

(CC) *Louisa Ramsay*, married, 3 June 1873, Lieut.-Col. Henry Philip Miles Wylie.

(DD) *Ariana*, born 10 August 1844, died 22 December 1867.

(EE) *Margaret Scott*, born 10 December 1849, died 10 April 1858.

(FF) *Mary Catherine*, married to William George Spens, Secretary of the Scottish Amicable Life Assurance Society, and has issue.

BB. CUNNINGHAME, twentieth LORD BORTHWICK.

CC. *Thomas Scott*, born 14 July 1817, died, unmarried, 22 April 1839.

DD. *Marion*, born 28 October 1805, died 22 December 1828.

EE. *Margaret*, born 3 September 1807, married 28 September 1832, to Nathaniel Gordon Corbett, R.N.

FF. *Ariana*, born 14 January 1810, died 20 October 1833.

(B) *James*, manager of the North British Insurance Company, born 25 August 1782, died 9 October 1866. Married Sarah,

daughter of Rev. William Finlay, minister of Polmont, who died 19 April 1862. He had issue:—

AA. *Archibald*, born 30 July 1816, died 16 August 1830.

BB. *Jane Laurie*, hymnwriter under the pseudonym M.L.L., born 9 April 1813, died 7 September 1897.

CC. *Margaret*, born 12 December 1814, died 28 September 1819.

DD. *Grace Laurie*, born 1817, died 10 July 1842.

EE. *Anne*, born 23 February 1821, died 10 March 1901.

FF. *Margaret* (the second), born 1822, died 10 August 1903.

GG. *Sarah Laurie*, born 1824, married to Rev. Eric J. Findlater, F.C., Balquhidder, and has issue.

HH. *Rachel*, died 28 June 1852.

II. *Jemima*, born 1830, died 10 January 1854.

JJ. *Mary Laurie*, born 1831, died 8 April 1853.

(C) *Margaret*, married to Rev. Prof. H. D. Hill, and died December 1814, leaving issue.

(D) *Anne*, married, May 1817, to Captain R. Clephane, R.N., son of Clephane of Carslogie, and died 19 July 1861.

(E) *Rachel*, died 28 December 1876.

(β) *Elizabeth*, married to

Robert Davidson of Marchcleuch.
Rev. Archibald Borthwick married, secondly, 17 January 1701, Katherine, daughter of James Lawson of Cairnsmuir, by whom he had:—

(γ) *Barbara*, baptized 9 September 1703, married to Patrick Hepburn, writer, Edinburgh.
(δ) *Katherine*, died early.
He died in March 1727.

(*b*) *Walter*, merchant in Edinburgh, died before 23 September 1676, without issue.[1]

c. *Margaret*.[2]
d. *Christian*.[3]

(ii) *Robert*, who acquired the lands of Threeburnford, 14 November 1565.[4]

ii. Master *George*, party to a contract 9 January 1556.[5]
iii. *James*, witness to the same.

4. *Agnes*, married, in or before 1489, to Sir David Kennedy, afterwards first Earl of Cassillis.
5. *Catherine*, married to William, Earl of Glencairn.
6. *Mary*, married to James Hoppringle of Galashiels.
7. *Margaret*, married to Sir Oliver Sinclair of Roslin.[6]

IV. William, fourth Lord Borthwick, married, in 1491, Margaret, daughter of John, Lord Hay of Yester. That he was addicted to the sport of hawking is evidenced by payments made to his falconer in 1504 and 1505, by command of James IV.,[7] who has a hawk on his hand in a well-known portrait. He was one of those warned of the embassy of Pope Julius in 1507.[8] There is no known charter or record evidence of the death of a Lord Borthwick between this time and 1543, but the name occurs as that of one of the 'sondry noblemen of the scottes slayne at the sayde batayle and felde called Brainston moore' (*i.e.* Flodden, 9 September 1513), in

[1] *General Retours*, 5934. [2] Edin. Tests., vol. iii. [3] *Ibid.* [4] *Reg. Mag. Sig.*, 24 November 1569. [5] Reg. of Deeds, vol. ii., 12 January 1556. [6] In the arguments between Arran and Lennox touching the right to the Crown, the latter states that it was Catherine Borthwick who married Sir Oliver Sinclair, and that she had been previously married to Sir Thomas Hay, (*Cal. of Scot. Papers*, i. 691). Douglas has been followed in the text. [7] *Lord Treasurer's Accounts*, ii. 470; iii.161. [8] *Ibid.*, iii. 377.

the contemporary black-letter tract,[1] giving an account of the battle; and the fact of the death of a Lord Borthwick at Flodden has, rightly or wrongly, been hitherto accepted by the historians generally. The poem of *Floddan Field*, 1664, has it that he 'upon the bent did breathless bide,' but he may have recovered. It has been thought probable that this is the lord whose effigy, with that of his lady, lies in Borthwick Church. The figures are in white marble, now much darkened by time.[2] On the assumption of the death of a Lord Borthwick in 1513, his successor was

V. William, fifth Lord Borthwick, to whom was intrusted, after the battle of Flodden, the castle of Stirling, with the custody of the infant monarch, James v. He appended his seal to the treaty between England and Scotland 7 October 1517. He was guardian of the King's person from May to September 1517,[3] and again one of the guardians from 1518 to 1522.[4] He was with the King (in Edinburgh Castle) in 1524,[5] and in 1525.[6] He died between 28 May 1543 and 19 February 1543-44,[7] having had issue:—

1. *Thomas*,[8] Master of Borthwick, married Mariot, daughter of George, Lord Seton, and died in his father's lifetime, after 28 November 1528, without issue. His widow married, secondly, February 1530-31, Hugh, Earl of Eglinton.
2. John, sixth Lord Borthwick.
3. *Catherine*, married to Sir James Crichton of Frendraught.
4. *Janet*, married to Alexander Lauder of Hatton (or Haltoun).

[1] 'Hereafter ensue the trewe encountre or Batayle.' 'Emprynted by me Richarde Faques dwellyng In poulys churchyerde.' Faques printed between 1509 and 1530. [2] Brydall in *Proc. of Soc. of Scot. Antiq.*, xxix. (1894-95) 402. In 1794 the effigies are said to have had 'numbers of little elegant human figures around them' which have now disappeared. *Statistical Account*, xiii. 635. [3] *Exch. Rolls*, xiv. 285. [4] *Ibid.*, 458. His seal attached to Precept of Sasine, 26 September 1522, shows on a shield couché three cinquefoils, two and one; supporters, two lions sejant; crest a horse's (dragon's) head and neck. *Twelfth Rep. Hist. MSS. Com.*, App. viii. 145. [5] *Exch. Rolls*, xv. 90. [6] *Ibid.*, 199. [7] Protocol Book of Andrew Brownhill, Edinburgh. [8] Pitcairn, i. 242*. Seton's *History of the Family of Seton*, 112, names him Arthur.

5. *Margaret*, married to Sir John Borthwick of Cineray, the Reformer. They had a charter from her father on 16 September 1538 of the lands of Borthwickbrae, in the county of Selkirk.[1] Sir John married, secondly, in 1556, at Geneva, Jane Bonespoir of Britagne,[2] and died before 9 December 1570, when William Borthwick, his son and heir, presumably by the first marriage, was one of those called to the succession to the Borthwick estates.[3]

VI. JOHN, sixth Lord Borthwick, married Isobell, eldest daughter of David Lindsay, eighth Earl of Crawford. He was one of the supporters of James, Earl of Arran, in his contest with the queen-mother, Mary of Lorraine, for the regency, and on St. Cuthbert's Day (4 September) 1544 he was seized by Sir George Douglas and detained in Dalkeith Castle. Lady Borthwick retaliated, on 16 September, by imprisoning Patrick, Earl of Bothwell, who was acting in the opposite interest, at Borthwick, until her husband was released.[4] Lord Eure, writing to Shrewsbury, says that Bothwell, 'bicause the Lady Borthyke was faire, he came to hir for love, but she made hyme to be handled and kepte,'[5] and Wharton gives the same story with more elaboration.[6] Lord Borthwick took part in the battle of Ancrum Moor in March 1544-45.[7] He was a member of the Privy Council in 1545 and subsequent years, and on 24 July 1547 he was appointed to hold Hailes Castle against the English and the Earl of Bothwell.[8] In the same year, William Langlands, a macer of the See of St. Andrews, who had come to Borthwick in connection

[1] Acts and Decreets, xxvii. f. 319. Principal Lee (*Bannatyne Miscell.* i. 253) speaks of Sir John as one of the sons of Lord Borthwick, relying on the position of his name in the settlement of the Borthwick estates in 1538. The families of Gordonshall, Crookston, Fenton, Glengelt, Soltray, Ballincrieff, and Princado are included in the succession to the estates at the same time or subsequently. Gawin Borthwick of Fenton was the illegitimate son of one of the Lords, legitimated by charter, 11 November 1537, and Robert Borthwick, the first of Ballincrieff, was the founder and master of artillery to James IV. and James V. Hay, writing in 1577, mentions Sir John of Cineray merely as being 'of that surname' (*Estimate of the Scottish Nobility*, ed. Rogers, 21). David Laing (*Knox*, i. 533) follows Dr. Lee. [2] *Livre Des Anglois*, ed. Mitchell, 14. [3] *Reg. Mag. Sig.*, 23 October 1571. [4] *Diurnal of Occurrents*, 35. [5] *The Hamilton Papers*, ii. 466. [6] *Ibid.*, 469-470. [7] *Ibid.*, 567. [8] *Reg. of Privy Council*, i. 81.

with the publication of letters of excommunication which had passed against his lordship in a process in which he was involved, was subjected to rough treatment at the hands of an Abbot of Unreason who happened at the time to be exercising his unlawful but popular functions at the castle.[1] On 27 November 1547 Lord Borthwick is reported as inconstant and changing as the Governor pleases,[2] and on 10 November 1559 as being one of the three noblemen with the Queen-Dowager.[3] In 1560 he was Keeper of Liddesdale.[4] When the Confession of (the reformed) Faith was read in Parliament, and put to the vote, the Earl of Atholl and the Lords Somervell and Borthwick alone of the laity dissented, saying they would believe as their fathers before them had believed.[5] Queen Mary visited Lord Borthwick at the castle on 12 January 1561-62,[6] and again on 28 August 1563.[7] He died in March 1566,[8] leaving issue:—

1. WILLIAM, seventh Lord Borthwick.
2. *Mariota* (Marion), married to Andrew Hoppringle of Galashiels.
3. *Isobell*, married, first, to Thomas Davidson (styled of Hedderwick), burgess of Edinburgh; secondly, to William Hart, advocate in Edinburgh.[9]
4. *Margaret*, married to Patrick Hepburn, parson of Kinoir.[10]

Lady Borthwick was married, secondly, to George Preston, sometime of Cameron, son of George Preston of Craigmillar, and died on 15 November 1577.[11]

VII. WILLIAM, seventh Lord Borthwick, succeeded to the title shortly before the marriage of Mary, Queen of Scots, to James, Earl of Bothwell, who was his immediate neighbour at Crichton, and probably his senior by some years.[12]

[1] Scott, Notes to *The Abbot*, citing the Consistory Register of St. Andrews. [2] *Cal. of State Papers* (1547-1603), 44. [3] *Ibid.*, 261, 262. [4] *Ibid.*, 499. [5] Knox, Spottiswoode, under date. But see Randolph to Cecil, Laing's *Knox*, vi. 117. [6] *Cal. of State Papers* (1547-1603), i. 590. [7] Roll of Expenses of the Queen's Equerries. [8] Edin. Tests., vol. vii. His seal, attached to Precept of Sasine, 11 February 1555-56, shows three cinquefoils on shield, no supporters or crest. *Twelfth Rep. Hist. MSS. Com.*, App. viii. 145. [9] Acts and Decreets, xxxv. f. 467. [10] Reg. of Deeds, ix. f. 76. [11] Edin. Tests., vol. viii. [12] In October 1547 the Governor attended the christening of 'the Lorde Borthweke's sonne.' *Cal. of State Papers*, 1547-1603, i. 34.

There is nothing to show whether or not he personally received the Queen and her husband on their arrival at Borthwick Castle; but it is clear he was one of Mary's most devoted adherents, and this, in the eyes of many, will atone for much else in his life. He was among those who met her at Hamilton[1] after her escape from Lochleven, and he was with her on the field of Langside.[2] In 1570 he was counted as one of the effective heads of the Marian faction.[3] His wife was Grissel, eldest daughter of Sir Walter Scott of Branxholm, who, on 24 September 1578, set forth, in the course of a complaint, that 'Scho, being lauchfullie mareit with Williame Lord Borthuik hir spous, continewit with him in the mutuall societie and band of matrimony this lang tyme bipast, having borne unto him in the menetyme sevin bairnis yit on life. Nochtwithstanding, he, being instigat be Sathan, not onlie abstractit his cumpany and societie fra hir, bot als delt verray unkyndlie with hir, in geving hir mony injurious wordis, stryking and dinging of her to the effusioun of hir blude in greit quantitie, without feir of God, petie or compassioun of her estait, being than greit with chyld.'[4] The Privy Council took a good deal of trouble, from time to time, in trying to adjust the relations of the unhappy pair.[5] Lord Borthwick is characterised by a contemporary as 'of yll gouernement,' and as having 'greately decayed' his ancient name and house.[6] He died in the Canongate of Edinburgh in October 1582,[7] 'of the Frenche decease,' says the

[1] Spottiswoode, under date. [2] *Cal. of Scot. Papers*, ii. 403. [3] *P. C. Reg.*, xiv. 43. [4] *Ibid.*, iii. 34. [5] *Ibid.*, 54, 108, 204, 251, 328, 402, 467. Very serious charges and counter charges were the outcome of their matrimonial differences. Pitcairn, i. pt. 2, 83. [6] *State of the Nobility*, 1583, etc., *Bannatyne Miscell.*, i. 68. The territorial possessions of the Lords Borthwick in the fifteenth and sixteenth centuries included, in property or superiority, Borthwick and Thoftcotys (Hoscoat) in Selkirkshire; Lochorwart and Borthwick Castle, Little Lochorwart, Hagbrae, Middleton, Heriot and Heriotmuir, Weddale, Criblaw, Over Shiels, Luggats, Printatoun, Gilmertoun, Fernieherst, Garwald, Howlatstown, Comlerigg, Cheslie, Stow and Buteland, all in Lothian; Ligertwood, Nenthorn, Glengelt, Colilaw, and Bourhouses, in Berwickshire; Aberdour in Aberdeenshire; Hyndford in Lanarkshire; and Little Ormistoun, Whitefield and Hethpule, in the county of Peebles. Their Edinburgh house was in Borthwick's Close, running from the south side of the High Street to the Cowgate. They had also property within the burgh of Peebles, as to which see Renwick's *Peebles during the Reign of Queen Mary*. [7] Edinburgh Tests., vol. xiii.

chronicler just cited. Of his numerous children there are known:—

1. *William*, Master of Borthwick, who died 17 March 1570-71, in the lifetime of his father.
2. JAMES, eighth Lord Borthwick.
3. *William* (the second), Tutor of Borthwick (*i.e.* of John, ninth Lord), married Agnes, daughter of William Borthwick of Crookston.[1]
4. Captain *John*, named in 1593 in a charter by his brother James, and on 15 January 1601 in a charter by his brother William.[2]
5. *Alexander.*

Lady Borthwick was married, secondly, to Walter Cairncross in Lugatt, son of John Cairncross of Colmslie.

VIII. JAMES, eighth Lord Borthwick, was born 24 June 1570,[3] and married, while yet 'a childe,'[4] in 1582, to Margaret, eldest daughter of William, Lord Hay of Yester. Perhaps as the result of an imperfect upbringing, due to the circumstances of his parents' domestic life, he and his brothers have rather an unsatisfactory record. In 1588-89 security is found for Lord Borthwick that Mr. William Hart (his uncle-in-law) his wife, bairns, and servants shall be harmless of his lordship, and also that the said Lord, on being released from Edinburgh Castle, shall keep ward in the burgh of Edinburgh till he present Robert *alias* Hobbe Diksoun, page, before the King and Council, and obtain the King's licence for his liberty.[5] In January 1595-96 there was a riot against the Provost and Bailies of Edinburgh 'in their convoy and taking to warde' of his lordship.[6] Complaints of violence, molestation, and oppression were made against members of the family in 1599, 1601, and 1602,[7] and in 1603 there is trace of a charge of murder against William and John.[8] A lighter accusation against the Tutor of Borthwick and his brothers was that of sending a challenge to William Sinclair of Roslin, in February 1600. Lord Borthwick is classed as a Protestant in 1592,[9] and in 1594 and 1595-96 he was a member of the Privy Council. He died

[1] *Laing Charters*, 2096. [2] *Ibid.*, 1255, 1256, 1414. [3] Extract Act of Curatory, Venlaw Papers. [4] *State of Nobility*, as above. [5] *P. C. Reg.*, iv. 362. [6] Pitcairn, i. 353-354; *P. C. Reg.*, v. 260. [7] *Ibid.*, vi. 64, 241, 438, 851. [8] Pitcairn, ii. 423. [9] *Present State of Nobility.*

in December 1599, having 'sald all,' according to John Colville.[1] He left issue:—

1. JOHN, ninth Lord Borthwick.
2. *James*, styled in 1621[2] only brother-german of John, Lord Borthwick, who on 22 April 1624 made a disposition of his rights to the lordship of Borthwick, if it should fall to him by the death of his nephews John and James.

IX. JOHN, ninth Lord Borthwick. Despite the extravagances of his grandfather and father, he inherited portions of the family estates, which were perhaps beyond their powers of alienation. In his boyhood he was subject to the guardianship of his uncle William,[3] and in 1617 he was under interdiction.[4] He died a comparatively young man, in November 1623.[5] It is sad to find, on 28 August 1628, that the Lords of Privy Council having superseded the execution of a poor woman named Meg Unes till she should be more narrowly tried on a charge of witchcraft, now there are many 'cleere and pregnant presumptiouns that she had beene accessorie to the death of the lait Lord Borthuick.'[6] He married Lilias Kerr, fifth daughter of Mark, first Earl of Lothian, who died on 10 July 1659,[7] by whom he had issue:—

1. JOHN, tenth Lord Borthwick.
2. *James*, described as a son of the late John, Lord Borthwick, in 1624, in a writ by his uncle James.[8] He probably died without issue.
3. *Margaret*, baptized 11 August 1617,[9] married to Robert Dundas of Harvieston, second son of Sir James Dundas of Arniston, and had issue:—

   John Dundas of Harvieston, who became heir to his uncle, John, tenth Lord Borthwick.

X. JOHN, tenth Lord Borthwick, was born at Prestongrange, the seat of his grandfather, the Earl of Lothian, 9 February 1616. Lord Borthwick protested for precedence

[1] Colville's *Letters*, ed. Laing, Bann. Club, 352. [2] Register of Inhibitions, 14 December 1621, 2nd ser., f. 19. [3] Pitcairn, ii. 423. [4] Douglas, ed. Wood, ii. 656. [5] Edinburgh Tests., vol. lii. [6] Supplication of James Borthwick of Newbyres, *P. C. Reg.*, 2nd ser. ii. 442. [7] Edinburgh Tests., vol. lxxi. [8] Gen. Reg. of Inhibitions, 1st ser., vol. 44, fol. 118. [9] Canongate Register.

in 1641, 1643, 1645, 1649, 1650, and 1661,[1] and was a member of various committees and commissions. On 9 January 1647 his mother and he petitioned Parliament for protection to Robert Pringle of Blindlie that he might appear and give evidence as to the possession of 'the chartar kist and haill evidentis of the hous and estate of Borthuik.'[2] He was the recipient of a summons, dated at Edinburgh, 18 November 1650, which has been several times printed,[3] but which cannot be omitted here:—

To the Governor of Borthwick Castle: These

SIR,—I thought fitt to send this trumpet to you, to lett you know that, if you please to walk away with your Company, and deliver the house to such as I shall send to receive it, you shall have liberty to carry off your armes and goods, and such other necessaries as you have. You have harboured such parties in your house as have basely [and] unhumanely murdered our men; if you necessitate me to bend my cannon against you, you must expect what I doubt you will not be pleased with. I expect your present answer,

and rest your servant,

O. CROMWELL.[4]

He appears afterwards to have given cause of offence to the Royalist party, and he was excepted from the Act of Indemnity of Charles II. in 1662, so far as to suffer a fine of £2400 Scots.[5] In 1656 he had trouble in recovering possession of certain of his title-deeds lodged by him in a suit in 1649, and put into Edinburgh Castle.[6] Lord Borthwick married, 23 August 1649, Elizabeth Kerr (born 6 September 1633), second daughter of William, third Earl of Lothian, and, dying between 13 March 1674 and 27 November 1675, without surviving issue, he was succeeded in

[1] *Acta Parl. Scot.*, v. and vi. *passim*. [2] *Acta Parl. Scot.*, vi. 653. [3] First in the *Stat. Account*, xiii. 1794, 635, from the original, then in the hands of Mr. Hepburn of Clerkington. [4] Carlyle naturally chuckles over the capitulation: 'The Governor of Borthwick Castle, Lord Borthwick of that Ilk, did as he was bidden, walked away with movable goods, with wife and child, and had fifteen days allowed him to pack, whereby the Dalkeith region and Carlisle Road is a little quieter henceforth' (*Letters and Speeches of Cromwell*, Letter clii.). Instead of 'wife and child' Douglas and the *Stat. Account* have 'his Lady and family.' [5] *Acta Parl. Scot.*, vii. 421. [6] *Cal. of State Papers, Dom.* 1655-56 *passim*.

what remained of the family property[1] by his sister's son, John Dundas of Harvieston.

On the death of John, tenth Lord Borthwick, all the male issue of William, the fourth Lord, became extinct, and the Peerage of right descended to Major William Borthwick of Johnstonburn, the head of the Soltray branch, and the then heir-male of the body of Alexander of Nenthorn, a younger son of William, the third Lord Borthwick. Neither he nor his son, Colonel William Borthwick of Johnstonburn, 'would ever be prevailed on to take the title: their maxim was that a title without a suitable fortune was not eligible.'[2] Upon the death of the Colonel, followed immediately by that of Captain Henry Borthwick of Pilmuir, the succession opened, in 1706, to the latter's elder son, William Borthwick of Pilmuir, on whose decease the right devolved upon his brother,

XI. Henry, fifteenth Lord Borthwick, and eleventh in possession of the dignity. He came of age between 1720 and 1725, and shortly afterwards insisted upon his right to the Peerage. He voted as Lord Borthwick at the General Election of Representative Peers on 4 June 1734, and continued to vote at subsequent Elections up to that of 1761. He was served heir-male in general to John, tenth Lord Borthwick, on 8 March 1750. On 14 December 1761 the House of Lords, on the report of the Committee for Privileges as to the Scottish Peerages existing at the Union and still continuing, ordered that the claimants of the Peerages of Borthwick and Kirkcudbright should not take upon themselves the respective titles until their claims should be allowed in due course of law. In consequence of this order, Henry Borthwick presented a petition to the King claiming the Peerage, and, on 8 April 1762, the House of Lords resolved and adjudged that he had a right to the title, honour, and dignity of LORD BORTHWICK as heir-male of the body of the first Lord Borthwick. He made a protest for precedence in 1763. Lord Borthwick married

[1] Borthwick Castle passed by purchase to the Dalrymples, and from them to the Hepburns and the Mitchelsons of Middleton. On 5 June 1812 it was bought at a public sale by John Borthwick of Crookston, in whose family it has since remained. [2] Letter of William Steuart, Advocate, 1 May 1773.

at Edinburgh, 5 March 1770, Margaret, daughter of George Drummond of Broich, and died, without issue, at Newcastle, on his way to London, 6 September 1772. Lady Borthwick, who had a pension on the Civil List, resided latterly at Muthill, Perthshire, and died between 8 October 1810 and 23 April 1812.

With Henry, fifteenth Lord Borthwick, the male issue of William, the fourth of Soltray, failed, and the right to the Peerage devolved upon Patrick Borthwick, merchant in Leith, as heir-male of the body of Alexander Borthwick of Sauchnell, the younger son of William, the third of Soltray. Patrick Borthwick survived his kinsman only a month, and the right to the Peerage descended to his son, Archibald Borthwick, then resident in Norway. In 1774 John Borthwick of Crookston, during the absence of Archibald Borthwick, claimed the Peerage, on the allegation that by the death of Henry all the male issue of William, second Lord Borthwick, had become extinct, and that he, the claimant, was descended from John Borthwick, whom he stated to have been the second son of the first Lord. In the course of the proceedings before the Lords' Committee for Privileges upon the claim, the Lord Advocate 'acquainted the Committee that he suspected that a Charter in 1446 and a Letter of Reversion in 1458 had been altered since the execution of the same.' These two deeds and three others were subjected to examination by experts, and, on 26 November 1776, the House of Lords ordered that the claimant 'do not presume to take upon himself the said Title and Dignity until his claim shall have been allowed in due course of law.'

In 1808 Archibald Borthwick, who had in the meantime returned to Scotland, formally claimed the Peerage, and in 1809 John Borthwick of Crookston, eldest surviving son of the claimant of 1774, appeared as an objector, and in 1812 claimed the Peerage for himself. He took up the position, not that the male issue of William, second Lord Borthwick, was extinguished, but that Alexander Borthwick of Nenthorn, the common ancestor of Henry, Lord Borthwick, and of Archibald Borthwick, was not the legitimate but the illegitimate son of William, third Lord Borthwick, and that

consequently the House of Lords had made a mistake in admitting Henry to the Peerage in 1762. In support of this contention he relied chiefly, but not entirely, upon the three deeds already mentioned, purporting to be dated in 1489, in which Alexander Borthwick was described as the natural son (*filius naturalis*) of his father. The House of Lords found itself in a position of unusual difficulty in having to decide whether it would or would not receive evidence calling in question a previous decision of its own, and had to devise a means of escape. By reason of the confusion caused by the existence of so many Williams as successive heads of the Soltray branch, Henry, Lord Borthwick, in giving his pedigree, had understated the number of generations, and Archibald Borthwick, in the light of subsequent investigation, was obliged to supply the links that had been omitted by his predecessor. On the ground that Archibald proposed to 'falsify' (by correction or amplification) the pedigree under which Henry, Lord Borthwick, claimed and obtained the Peerage, and had so disqualified himself from claiming the benefit of the previous judgment, the House allowed evidence to be received on the lines of Crookston's allegation. Archibald Borthwick's death occurred while the proceedings were still pending, and beyond the substitution of his son, Patrick Borthwick, in his place at the bar of the House, no further steps were taken on either side. On the death of Patrick Borthwick, the right to the Peerage descended to his eldest son, Archibald Borthwick, on whose decease, without surviving male issue, it devolved upon his brother,

XII. Cunninghame, twentieth Lord Borthwick, and twelfth in possession of the title. He was born on 6 June 1813, and educated at the High School of Edinburgh, leaving the rector's (Dr. Carson's) class in 1829. Originally intended for the law, he was for a short time in an office of writers to the signet, but not liking the profession he entered a Leith counting-room, and was afterwards in business for some time in Leith and in Glasgow. Removing to London in 1853, he founded the firm known later as Borthwick, Wark, and Co., of the Stock Exchange, from which he retired in 1877. In 1868 he presented a petition

to Queen Victoria, claiming the Peerage, and in the case which he in due course submitted to the House of Lords he expressed his trust that the House would advise Her Majesty 'that the judgment given in favour of Henry, Lord Borthwick, was a righteous judgment, and that it has been wholly unimpeached by the evidence brought forward to controvert it, and that the petitioner is entitled to the full benefit of it, and has established his right to the dignity so long held by his ancestors.' John Borthwick of Crookston, grandson of the claimant of 1812, who had, in the newspapers and elsewhere, asserted a claim to the title, declined to come forward, and the three deeds purporting to be of 1489, and also two documents which had been founded on in support of the claim formerly put forward by the Crookston family, were, in absence, annulled by the Court of Session. The House of Lords, however, refused to enter upon the question of the authenticity of the alleged deeds of 1489, holding that, even if genuine, they did not bear the construction which had been imputed to them; and on 5 May 1870 the House resolved and adjudged that the petitioner had a right to the title, honour, and dignity of LORD BORTHWICK, as heir-male of the body of William, the first Lord Borthwick, who sat in the Parliament of Scotland as Lord Borthwick in the year 1455. Lord Borthwick made a protest for precedency at Holyrood on 4 August 1870, and in the following year presented to the House of Lords a petition and case on the same subject. Counsel was heard and witnesses examined before the Committee for Privileges on 23 June 1871, when the hearing was adjourned *sine die*, and no further proceedings have taken place. Lord Borthwick acquired the estate of Ravenstone, Wigtownshire, in 1874, and was appointed a Deputy-Lieutenant of that county in 1882. He was elected a Representative Peer in 1880, and died 24 December 1885. He married, 18 July 1865, Harriet Alice, eldest daughter of Thomas Hermitage Day of Frindsbury, Rochester, Kent, and had issue:—

1. ARCHIBALD PATRICK THOMAS, twenty-first Lord Borthwick.
2. *Gabrielle Margaret Ariana*, born 30 June 1866.
3. *Alice Rachel Anne*, born 17 December 1868; married,

5 July 1893, to Captain Alexander Straton Campbell of Weasenham, Norfolk, and has issue.

4. *Violet Dagmar Marion Olga*, born 3 June 1871; married, 22 November 1900, to Captain Lewis Grey Freeland.
5. *Mary Frances Harriet*, born 11 February 1876; married, 1 July 1897, to Harold Chaloner Dowdall, M.A., B.C.L., Barrister-at-Law, Liverpool, and has issue.

XIII. Archibald Patrick Thomas, twenty-first Lord Borthwick, and thirteenth in possession of the dignity. He was born at 17 Queen Street, Mayfair, 3 September 1867, and educated at St. Peter's, Radley, and at Christ Church, Oxford. Admitted a partner of Borthwick, Wark, and Co. in 1890. A member of the Royal Company of Archers; and in the Commission of the Peace for the County of Wigtown. He married, 18 July 1901, at Ardwell Church, Wigtownshire, Susanna Mary, fourth daughter of Sir Mark J. M'Taggart Stewart of Southwick, Bart., M.P. for the Stewartry of Kirkcudbright, and has issue:—

Isolde Frances, born 2 February 1903.

Creation.—Between 4 December 1450 and 21 July 1454. Approximately, 12 June 1452.

Arms, recorded in Lyon Register.—Argent, three cinquefoils, sable.

Crest.—A Moor's head proper, wreathed argent and sable.

Supporters.—Two angels proper, winged or.

Motto.—*Qui conducit.*

[W. M.]

MORAY, LORD OF BOTHWELL

WHETHER the extensive province of Moray derived its name from *Moreb*, or *Mor'av*, the seaside, or from a chief, prince, or king called Murich or Murdoch, is a question that may be left to philologists and antiquaries to decide. It is sufficient for our purpose to note that Moravia (to use its Latinised form) gave its name to a family which in its various branches, under the names of Mureve, Moreff, Murreff, Moray, and Murray, became widely known and highly distinguished in Scotland. The first of the family of whom there is any record was

Freskin, whose curious name has been the subject of some speculation. He is said to have been a person of Flemish origin, whom David I. took north with him from the Lowlands and settled in Moray, when he suppressed an insurrection of the natives of that province in 1130. From the terms of a charter granted to one of his sons by William the Lion, it would appear that Freskin held from King David the lands of Strabrok in Linlithgowshire, along with his lands in Moray, but he is nowhere designed 'Flandrensis' or *le Flamyng*, as was the custom when Flemings were mentioned in early charters. It may be, as has been

surmised, that his name is the same as Fresicus, the Low Latin for Friscian, and was therefore sufficiently distinctive. On the other hand, Freskin may be a corruption of some compound of the Gaelic *Fear*, with a noun or adjective descriptive of some trait of character or physical peculiarity.[1]

Freskin, who must have died before 1171, had three sons:—

1. WILLIAM, noticed below.
2. *Hugh*, ancestor of the Earls of Sutherland.
3. *Andrew*, who was probably Bishop of Moray, 1184-85.[2] There is room for him between Simon, who died in 1184, and Richard, who was elected in 1187.[3]

WILLIAM, son of Freskin, is a witness to a charter granted by Malcolm IV. to Berowaldus Flandrensis of the lands of Innes, at Christmas 1160. Between 1165 and 1171 he obtained a charter from William the Lion of the lands of Strabrok, Duffus, Rosisle, Inchikel, Machir, and Kintrai, *quas terras pater suus Friskin tenuit tempore regis David avi mei*. This charter is now missing, but it was seen and copied by Nisbet.[4] William witnessed several charters of King William between 1187 and 1199, and died about 1203, when his eldest son appears as Lord of Duffus. Mr. Cosmo Innes, editor of the *Chartulary of Moray*, founding, for want of better authority, on a marginal note in the register relative to Gilbert, Archdeacon of Moray, afterwards Bishop of Caithness—*Iste Gilbertus erat filius domini de Duffus*—remarks that if the anonymous annotator be correct, Gilbert, along with John and Richard, his brothers, must all apparently have been sons of William, son of Freskin, Lord of Duffus, and nephews of Hugh Freskin.[5] But if Richard, brother of Gilbert, be identical with the Richard de Moravia to whom the Abbot of Dunfermline, about 1240, gives and confirms all his lands of Kildun, near Dingwall, in Ross,[6] then the annotator must be wrong, because this Richard is distinctly called *filius Murdaci filii*

[1] Douglas, in his *Peerage* (660), and his *Baronage* (98), remarks that Friskine in the Gaelic language signifies 'the man with the ready hanger.'
[2] *Chron. de Mailros.* [3] *Reg. Morav.*, Pref. xii. [4] *System of Heraldry*, ii. 183. [5] *Reg. Morav.*, Pref. xliii. [6] *Reg. de Dunf.*, 195-196, cited by Mr. D. Murray Rose in a paper on 'The Ancestry of St. Gilbert of Dornoch.'

Alexandri de Moravia. William, son of Freskin, had, however, three sons, viz.:—

1. *Hugh de Moravia*, who got the lands of Duffus and Strabrok. Died about 1226, and was buried in the Church of Duffus, near the altar of St. Katherine. Was afterwards canonised. He had two sons:—
   (1) *Walter*, who married Eufemia, daughter of Ferchard, Earl of Ross, by whom he had a son,
      i. *Freskin*, Dominus de Duffus. Married Johanna, Lady Strathnaver, and had issue:—
         (i) *Mary*, married Sir Reginald le Chen, the younger, with issue.
         (ii) *Christian*, married William de Federeth, Constable of Roxburgh Castle, in 1262, with issue.
   (2) *Andrew*, Parson of Duffus and Bishop of Moray, 1223-1242.
2. WILLIAM DE MORAVIA, noticed below.
3. *Andrew*, parson of Duffus 1209. He is said to have refused the Bishopric of Ross in 1213.[1]

WILLIAM DE MORAVIA, second son of the above William, and grandson of Freskin, is found designed 'Dominus de Pettyn, Brachlie, and Boharm,' and appears as witness, along with his father and his brother Hugh, to charters granted by King William in the end of the twelfth and beginning of the thirteenth centuries. He gifted the church of Artendol to the Cathedral Church of Spynie.[2] He was Sheriff of Invernaryn in 1204, and died before 5 October 1226. He left two sons:[3]—

1. SIR WALTER, noticed below.
2. *Mr. William*, Canon of Moray, who witnesses an agreement between the Bishop of Moray and Malcolm, Earl of Fife, as to the lands of Adwyn,[4] and also his brother's charter of the lands of Agynway to the Hospital of St. Nicholas, near the Bridge of Spey.[5]

SIR WALTER DE MORAVIA, Lord of Petyn, etc., is designed *filius quondam Willelmi de Moravia* in an agreement dated 5 October 1226, between himself and Andrew,

[1] *Reg. Morav.*, Pref. xiii. [2] *Ibid.*, 17. [3] Sir Andrew Moray, who witnesses a charter granted by William Cumyn, Earl of Buchan, to Arbroath Abbey between 1211 and 1214, may have been another son. [4] *Reg. Morav.*, 66. [5] *Ibid.*, 122.

Bishop of Moray, as to certain lands, teinds, and church patronages granted to that see both by his father and himself. To this agreement the seal of his cousin Walter of Duffus is also appended. Another agreement between the same parties is dated 25 April 1229, and there is an undated charter by Walter de Moravia, son of the deceased William, granting the lands of Agynway to the Hospital of St. Nicholas.[1] He accompanied Alexander II. to England in 1235, the name of Walter of Petyn appearing as a witness to a charter granted by the King at Dissington in Northumbria, and dated in September of that year.[2] He also witnesses a charter by King Alexander, dated in 1236,[3] and a number of deeds executed by his cousin the Bishop of Moray. He seems to have received the honour of knighthood before he granted a charter to the Cathedral Church of Elgin and the Chapter of the See of Moray, of the church of Inveralian, as in that document he is styled *Miles.*[4] He may have been the Walter of Moray who was one of the guarantors of the peace with England in 1244, which was apparently the year of his death. He left a son,

Sir William de Moravia, who is designed 'of Petyn' in a letter from King Henry III. of England to the Pope, dated in 1244.[5] He also was knighted by Alexander II., as his son Walter is designed *filius domini Willelmi de Moravia* in a charter dated in the same year.[6] He died before March 1253. By his wife, who is said to have been a daughter of Malcolm, Earl of Fife,[7] he had a son,

I. Sir Walter de Moravia, who inherited the Moray estates, and also became possessed of the manor of Bothwell in Clydesdale, and the lands of Smallham (or Smailholm) and Crailing in Roxburghshire, which had previously belonged to the Olifards of Bothwell, and may have come into Sir Walter's hands by marriage with the heiress. In the reign of Alexander II. the Baron of Bothwell was Walter Olifard, Justiciar of Lothian, who had a son, Sir David, and it was either the sister or daughter of the latter

[1] *Reg. Morav.*, 23-26. [2] *Ibid.*, Pref. xxxvii. [3] *Invernessiana*, 29. [4] *Reg. Morav.*, 111. [5] *Cal. Doc. Scot.*, i. No. 165. [6] Rymer's *Fœdera*. [7] MS. Memoirs of the Morays of Abercairney.

who carried the estate to the Morays. From a document in the public records,[1] it appears that Walter of Moray gave to Devergulla, widow of David Olifard, the liferent of a manor in Lincolnshire which, as Mr. Joseph Bain remarks, may have been a transaction connected with her dower in Bothwell.[2] The marriage seems to have taken place before March 1253, as there is a convention between the Bishop of Glasgow and Chaplains of Osberniston[3] on the one part, and Sir Walter de Moravia on the other, by which the latter gives a sum of one hundred shillings for masses to be celebrated annually in the chapel there, and also in the Cathedral of Glasgow, for the souls of himself and Sir David Olifard, their ancestors and posterity. This deed is dated at Ancrum in Roxburghshire, in the Kalends of April 1253.[4] One of the persons appointed to be the Council of Government and Guardians of the young King and Queen by the Treaty of Roxburgh in 1255 was Sir Walter of Moray. He is a witness to a charter granted by Alexander III. to Devergulla de Baliol on 18 May 1277,[5] and a discharge granted by him to the monks of Dryburgh of the multures payable out of the lands of Smallham, is dated at Bothwell *in crastino sancti Matthai apostoli* (February 25) *anno* 1278-79,[6] which is said to be the year of his death, but he appears to have survived till 1284, as he is among the barons who were parties to the Act of Succession, dated 5 February 1283-84. Besides the two sons mentioned below, he may have had David de Moravia (named probably from Sir David Olifard), parson of Bothwell and Bishop of Moray 1299-1325, a strong supporter of Robert the Bruce, and founder of the Scots College at Paris. But the only issue of Sir Walter whose paternity is proved, are:—

1. Sir William, who succeeded his father.
2. Sir Andrew.

II. Sir William de Moravia, Lord of Bothwell, is designed 'Miles' in the Act of Succession to the Scottish Crown, 1284, and in the same year he appears as *Panetarius*

[1] *Cal. Doc. Scot.*, ii. No. 725. [2] *Pro. Soc. of Antiq. of Scot.*, xix. 381. [3] Osberniston was in the south-west corner of the parish of Bothwell —*Orig. Par.* i. 53. [4] *Reg. Glasg.*, 162. [5] *Ibid.*, 192. [6] *Liber de Dryburgh*, 110.

de Scotiæ. He was one of the great barons summoned to Berwick-on-Tweed as an auditor of the claims of Bruce and Baliol anent the succession to the Crown in 1291, and in the following year he was one of the sureties for the delivering up of several Scottish castles to the English. A number of charters granted by him in 1292 and 1293 appear in the Chartulary of Glasgow, and to the original of one of these his seal is appended, showing *in scuto tres stellulas multum attrito.*[1] Sir William was so wealthy that he was surnamed *le Riche.* He was one of twelve Morays, six of them Knights, who did homage to Edward I. in 1292, and that monarch afterwards marked him out for specially severe treatment, depriving him of his estates in Scotland, and when he retired to his manor in Lincolnshire, subjecting him to further distraint, so much so that the once wealthy Baron of Bothwell had to get an allowance out of the Crown revenues accounted for by the Sheriff of Lincoln. *Willelmus de Moravia, dominus de Botevill* is among those who swore fealty to King Edward at Berwick 28 August 1296,[2] and the Sheriff of Lincoln's accounts show that he was alive at Michaelmas 1299. In the same year he appears to have granted (probably under compulsion) his manor of Crailing in Roxburghshire to the Bishop of Durham.[3] He was dead before 10 November 1300, when an inquisition was ordered as to his heir. He left no issue.

Sir Andrew de Moravia is mentioned as one of two persons in whose presence Sir William, his brother, granted to the Cathedral and Chapter of Glasgow the right of patronage of the Church of Walliston on the Wednesday next after the feast of St. Valentine the martyr, anno 1292.[4] To this deed the seals of both the brothers were appended, and no doubt it is the document referred to by Craufurd as showing Sir William's seal 'much wasted.' A detached seal, supposed to be Sir Andrew's, shows a shield with three stars of six points, within a bordure charged with eleven roundels, the legend being *S'. Andree de Moravia, militis.*[5] Sir Andrew, notwithstanding that he swore fealty to the English King in July 1291, took an

[1] Craufurd's *Peerage*, 39. [2] *Hist. Doc. Scot*, i. 66. [3] *Cal. Doc. Scot.*, iii. 207. [4] *Reg. Glas.*, 202. [5] *Cal. Doc. Scot.*, ii. pl. i. No. 5.

active part in the resistance made by the Scots to English rule. Having been taken prisoner, along with his son Andrew, at the surrender of the Castle of Dunbar in April 1296, he was committed on 16 May to the Tower of London, his son being sent to Chester Castle. He was alive on 6 November 1297, but died in the Tower between that date and 10 November 1300, the date of the order for the inquisition above referred to, so that it is uncertain whether he succeeded to his elder brother's estates and office of *Panetarius*. He married, first, the fourth daughter of Sir John Comyn of Badenoch, by whom he had ANDREW his heir,[1] and secondly, in 1286, Euphemia, widow of William Comyn of Kilbride, who may be ancestress of the Murrays of Ryvale and Cockpool.[2] She died in 1288.[3]

SIR ANDREW MORAY. Taken prisoner along with his father at the siege of Dunbar in April 1296, he was liberated after a few months' captivity in Chester Castle, and immediately afterwards rejoined the patriotic party in Scotland. Lord Hailes[4] remarks that the only baron who adhered to Sir William Wallace when the nobles tamely submitted to the English monarch at Irvine on 9 July 1297, was Sir Andrew Murray of Bothwell, but this must have been the younger Andrew, as at that time Sir Andrew, brother of Sir William of Bothwell, was detained a prisoner in the Tower of London. His son was certainly with Wallace in the north, as the Bishop of Aberdeen, writing to King Edward on 24 and 25 July 1297, refers to the part

[1] Wyntoun states this most distinctly, and there seems no reason to doubt his accuracy :—

'The fierd dochtor oure the lave
To wyff the Lord took of Murrave;
On hyr the Lord of Murrave gat
Andrew of Murrave that efftyr that
Wes at the Bryg of Stryvelyne slayne.'
—*Chron.*, Bk. viii. c. vi. l. 1198.

[2] *Scottish Antiquary*, xv. 72. [3] Euphemia's second marriage was not recognised in England, because it had taken place without the royal licence, and there is a letter dated 11 November 1286, from the Guardians of Scotland, seeking redress from the King of England for Sir Andrew de Moravia and Eufemia, his wife. After Sir Andrew's death his widow's dower-lands in Suffolk were confiscated by King Edward, and given in frank tenement to John Comyn, son and heir of the deceased William Comyn of Kilbride (*Hist. Doc. Scot.*, i. 82). [4] *Annals of Scotland*, i. 302.

taken in the insurrection by Andrew of Moref, son of Sir Andrew, 'with a very large body of rogues.'[1]

On 28 August in the same year, King Edward granted at Tunbridge a letter of safe-conduct to Andrew, son of Andrew of Moray, extending to the feast of St. Michael (September 29) to visit his father in the Tower,[2] but if this was an attempt to draw away the younger Andrew from the champion of Scottish independence, it did not succeed, as he was present with Sir William Wallace at the battle of Stirling Bridge on the 11 September, and there received a fatal wound. That he was not killed outright is proved by a letter dated 11 October 1297, addressed to the Mayor and Commons of Lubeck and Hamburg, by Andrew of Moray and William Wallace as leaders of the army of the Kingdom of Scotland,[3] while letters of protection to the monks of Hexham, dated 7 November, also run in both names.[4] The exact date of this hero's death is not known. He was married to a lady whose name has not been ascertained, and was the father of a posthumous son,

III. Sir Andrew Moray, the most famous of the Bothwell family. The jury in the inquest held on 10 November 1300, after the death of Sir William de Moravia (evidently of Bothwell), found that his heir was a child named Andrew son of Andrew de Moravia, *interfectus apud Strevelyn contra dominum regem*, who was son of the deceased Sir Andrew de Moravia; further, that the boy was two years old at the last Pentecost (which fixes his birth about eight months after the battle of Stirling Bridge); and that, in the belief of the jury, he was dwelling in Moray, among the King's enemies.[5] It is not likely, therefore, that he was the Andrew Murray who, according to Lord Hailes and other historical writers, was exchanged, with several others, for Sir John de Segrave, senior, taken prisoner by the Scots at the Battle of Bannockburn. Sir Andrew Moray was a staunch supporter of King Robert the Bruce, and in 1326

[1] *Hist. Doc. Scot.*, ii. 210. [2] *Ibid.*, ii. 228. [3] *Wallace Papers*, 159. [4] *Chron. de Hemingsburgh.* The fact that in these letters Andrew Moray's name comes first would seem to indicate that he was of equal rank with Sir William Wallace, although he is not described as knight in any official document. [5] *Cal. Doc. Scot.*, iv. 300.

he received in marriage the hand of the twice-widowed sister of the King, Christian Bruce. A charter by King Robert to Sir Andrew and his spouse of the lands of Garioch, dated 20 July 1327, describes him as *Panetarius Scotiæ*, showing that he had inherited this office either from his grandfather, Sir Andrew Moray, or from Sir William, his grand-uncle. He is called 'Pantrieman' in a charter granted by him and Christian Bruce to Bernard Spence of the lands of Unthank in the regality of the Garioch.[1] After the disastrous battle of Dupplin in August 1332, Sir Andrew Moray was chosen Regent of the Kingdom in succession to the Earl of Mar, but in April of the following year, while attacking Roxburgh Castle, he fell into the hands of the English, and was detained a prisoner in England for two years. After his release by ransom, he was acknowledged guardian of the Kingdom by a Parliament assembled at Dunfermline in December 1335, and maintained active hostilities against the English till his death at Avoch in Ross in 1338.[2] He was buried in the Chapel of Rosemarkie in Moray, but his body was afterwards raised and carried to Dunfermline Abbey, to rest beside those of Bruce and Randolph, Earl of Moray. He was probably a widower when he married the King's sister in 1326,[3] as she is said to have been past child-bearing, and he left two sons:[4]—

1. Sir John, who succeeded his father.
2. Sir Thomas, who succeeded his brother.

IV. Sir John Moray, Lord of Bothwell, married, in 1348, by Papal dispensation (of date 21 November 1348), they being in the fourth degree of kindred, Margaret Graham, heiress of the earldom of Menteith, then only fourteen. In

[1] Robertson's *Index*, 54, No. 72. [2] The exact date of this important event seems to be nowhere recorded. It probably took place in the month of June or July. [3] Moreri's *Grand Dictionnaire*, article 'Moravia,' states that he married a daughter of Leslie of Rothes, but no corroboration of this assertion has been found. [4] In his preface to the first volume of the *Exch. Rolls*, the editor says that John de Moravia, who receives a payment for his sustenance in 1342, was the eldest son of Sir Andrew and Lady Christian Bruce, but the accounts do not bear out this statement. Thomas, the younger son of Sir Andrew, appears to have been of age in 1336, if he be identical with the Thomas de Murref who gives a contribution to the repair of the bridge over the Tweed at Berwick on 24 June of that year (*Rotuli Scotiæ*). Sir Andrew's widow is said to have died at a great age in 1357 (*Exch. Rolls*, i. Pref. cxxxiv). [5] *Papal Letters*, 1342-1362.

a charter granted by the widow of Sir William Rose of Kilravock, she mentions as her overlord John of Moray, Lord of Bothwell and of Avoch, and in a duplicate of the charter, Sir John is styled 'Earl of Menteith and Panetarius of Scotland.'[1] Three years after his marriage he was in the hands of the King of England as a hostage for David II., who had been taken prisoner at the battle of Durham. By a deed dated 20 April 1351, John of Inverness, Chancellor of Moray, declares that, seeing that 'my Lord John de Moravia, Pantler of Scotland,' and his heirs were held obliged to pay at Elgin yearly for ever to him and his assignees, eight merks sterling, he (the Chancellor) devotes this money to found a chaplainry in the Church of the Holy Trinity of Elgin, in behalf of his own soul, the souls of his father and mother, the soul of Sir Andrew de Moravia of good memory, father of the foresaid John, and the souls of all the faithful dead. It would appear that Chancellor John had given the Lord of Bothwell a sum of 100 merks sterling, for which he was to receive eight merks of annualrent out of the lands of Altirlies and Croy, and the good Chancellor apportioned this interest in the manner set forth in his grant, but the Peerage writers, and, curiously enough, the editor of the *Chartulary of Moray*, give the credit of this pious donation to the lay lord instead of to the Church dignitary, although the terms of the deed of foundation are quite clear.[2] Sir John Moray died in exile, without issue, prior to 5 September 1351, when his brother, Sir Thomas, takes his place as hostage in England.

V. Sir Thomas Moray succeeded his brother in his office of *Panetarius Scotiæ*, and in his extensive estates. There is a letter of safe-conduct from the King of England, dated 5 September 1351, for Thomas de Murreff, brother and heir of John de Murreff, to come to Berwick or Newcastle as hostage for King David Bruce.[3] On 8 May 1353, Sir Thomas renewed his brother's obligation to the Chancellor of Moray in connection with the observance of the anniversary of their father's death.[4] A safe-conduct to Berwick, dated 13 August 1357, is no doubt connected with the negotiations for the payment of the King's ransom,

[1] *Red Book of Menteith*, i. [2] *Reg. Morav.*, 301. [3] *Rotuli Scot.* [4] *Reg. Morav.*, 301.

Sir Thomas Moray being one of the Commissioners appointed on behalf of the Scottish nobility to deal with that matter. On 3 October, when the negotiations were concluded at Berwick, Sir Thomas is mentioned in a list of eight great barons of Scotland, of whom three were required to place themselves in the hands of the King of England as hostages for the payment of the money, the Lord of Bothwell being one of the three on whom the lot fell. His seal—a shield with three mullets, two and one, within a bordure with eight roundels—and the inscription, 'S. Thome de Moravia,' is appended to the ratification of the treaty by the magnates of Scotland, dated 5 October 1357.[1] It was, perhaps, for the service rendered by Sir Thomas on this occasion that he obtained a gift of the lands of Airthrey in Stirlingshire, in liferent during the pleasure of the King.[2] In the following year the Lord of Bothwell obtains two licences to go to Scotland (7 May and 7 December), and in 1359 (4 July) there is a safe-conduct for several horsemen coming to him in England, while there is a similar protection to himself on 10 November of the same year. On 28 January 1360, King Edward grants a safe-conduct for Walter de Moray, perhaps Sir Thomas's wife's uncle,[3] with an attendant, to come to England to Thomas de Moray, hostage for David Bruce. He was probably then lying ill, and it is certain he died the following year, and not in 1366, as stated by some of the chroniclers. Wyntoun states that Sir Thomas's death took place in London in the year 1361,[4] and a Papal dispensation for his widow's marriage to Sir Archibald Douglas, afterwards Lord of Galloway, and third Earl of Douglas, dated 23 July 1362, is proof of the Prior of Lochleven's accuracy. The Lord of Bothwell is said to have died of the plague. His wife was Joanna, daughter and heiress of Sir Maurice Moray of Drumsargard, Earl of Strathern, by Joanna de Menteith.[5] She had apparently no children by Sir Thomas Moray, and although she was no doubt conjunct fiar of his lands, it is not clear how she was able to carry to her second husband the barony of Bothwell, with the family possessions in Moray and elsewhere, except on

[1] *Cal. Doc. Scot.*, iii. No. 1660. [2] *Exch. Rolls.*, i. 576, 582. [3] Cf. *Laing Charters*, No. 879. [4] *Cronykil of Scotland*, bk. viii. c. xlvi. ll. 7141-42. [5] *Ibid.*

the supposition that 'Archibald the Grim' seized the estates when he married the widow. It is most unlikely that there was no male heir of the last Lord of Bothwell. Craufurd in his *Peerage* says the male line was continued in Sir John de Moravia de Drumsargard, a younger son of Sir William de Moravia de Bothwell and Drumsargard, *Panetarius Scotiæ*, but as we have seen, Sir William of Bothwell had no children, his grand-nephew becoming his heir. The confusion arises from two errors—first, that of uniting the baronies of Bothwell and Drumsargard in one holder nearly two centuries before such union took place; and second that of taking Sir William de Moravia of Drumsargard to be identical with the contemporary Lord of Bothwell (1284-1300) of the same name. No Moray of Bothwell and Drumsargard, or of Drumsargard and Bothwell, occurs in any authentic record within our knowledge. Although charters and other documents are cited by Craufurd and Douglas to prove the existence of Morays with such designations, these will be found upon examination to be insufficient to warrant the assertions based upon them. Some genealogical writers are of opinion that the Bothwell male line is represented by one or other of the existing Murray families; but there is no definite proof to determine the point.[1]

ARMS.—Azure, three mullets argent.

[W. B. C.]

[1] Riddell's *Stewartiana*, 91; *Scottish Antiquary*, xv. 72.

RAMSAY, LORD BOTHWELL

IT[1] has generally been considered by Peerage writers that the family to which Ramsay, Lord Bothwell, belonged was that of the Ramsays of Corstoun, who were no doubt of kin to the Ramsays of Carnock, otherwise Pitcruvie. The Corstoun family were heirs of the latter after the death of Janet Ramsay, Lady Lindsay of the Byres.[2] But whether Lord Bothwell was of that family is now doubtful. There appear, indeed, to have been two John Ramsays at the Court of James III.; John Ramsay the 'familiar squire' of that King, who married Isobel Cant, is never styled Lord Bothwell, though mentioned in the records after the creation of that title; and in 1500 Elizabeth (synonymous with Isobel) Cant appears as wife of John Ramsay in Pitgormo.[3] Now this John in Pitgormo appears several times in the records as involved in many disputes with Ramsay of Corstoun. Sir John never so appears. Further proof of the different identity of these two John Ramsays will be given later, meanwhile the career of that one who became Lord Bothwell may be considered.

[1] The arms in the initial are what was generally borne by many Ramsay families, but the coat actually borne by Lord Bothwell has not been recorded. [2] *Reg. Mag. Sig.*, 1 August 1540. [3] *Acta Dom. Conc.*, ix. 159.

John Ramsay, whatever his parentage may have been, attracted the notice, while still a young man, of King James III. He formed one of that band of favourites on whom the nobles wreaked vengeance at Lauder. Ramsay escaped the general fate by leaping, it is said, on the horse the King was riding.[1] He continued in much favour with James, though he gave great offence to the Court by procuring a royal mandate that no one but himself should be entitled to carry arms within the precincts of the royal residence.[2] On 16 February 1483 he had a ratification in Parliament of the lands and barony of Bothwell,[3] and he sat in the Parliaments of 1485 and 1487, under the title of LORD BOTHWELL.[4] He was an Esquire of the King's Chamber,[5] an auditor of Exchequer in 1484,[6] and a Commissioner for letting the Crown lands.[7] He was Ambassador to England in 1486 and 1488.[8] After the death of James III. he was forfeited in the Parliament held at Edinburgh 6 October 1488.[9] He then retired to England, and was largely engaged in intriguing against the Scottish Government. He was, notwithstanding, allowed to return to Scotland in 1496, and had a remission under the Great Seal 18 April 1497, without, however, his title being restored to him.[10] At the same time he had liferent grants of the lands of Tealing and Polgavie, co. Fife,[11] of the lands of Trarinzeane, co. Ayr, and half the lands of Kirkandrews, co. Wigtown.[12] On 30 May 1498 he had a charter of a tenement in the Cowgate, Edinburgh, and another of lands in Forrester's Wynd, 6 November 1500.[13] In 1503 he was Captain of Linlithgow,[14] probably of the Palace there. On 13 May 1510 he had a grant 'pro bono servitio et ex speciali favore' of the lands and barony of Balmain, co. Kincardine.[15] It is certain that all the time he was receiving these marks of the royal favour Ramsay was acting as a spy in the Scottish Court, and was engaged in a treasonable correspondence with Henry VII., and his letters are still extant.[16] His end, however, was by no

[1] *Pitscottie*, Scot. Text Soc., i. 176. [2] Fraser's *Douglas Book*, ii. 79. [3] *Acta Parl. Scot.*, ii. 153. [4] *Ibid.*, 169, 180. [5] *Reg. Mag. Sig.*, 6 September 1483. [6] *Exch. Rolls*, ix. 232, etc. [7] *Ibid.*, 636. [8] Rymer's *Fœdera*. [9] *Acta Parl. Scot.*, ii. 201, 205. [10] *Reg. Mag. Sig.* [11] *Ibid.*, 27 April 1497, 13 September 1498. [12] *Ibid.* [13] *Ibid.* [14] *Cal. Doc. Scot.*, iv. No. 1713. [15] *Reg. Mag. Sig.* [16] Cf. Pinkerton's *Hist.*, ii. 438.

means that of a traitor, as he died fighting for his King on the field of Flodden in 1513.[1]

Lord Bothwell is generally said to have married Isobel Cant, but she was the wife of the other John Ramsay alluded to above. Bothwell did marry, first, Janet Kennedy, the well-known mistress of James IV. On 6 November 1505 he, as Sir John Ramsay of Trarinzean, resigned certain subjects in Edinburgh for conjunct infeftment to be given to him and Janet Kennedy, Lady Bothwell, his spouse,[2] and on the 28th of the same month Lady Bothwell appears in Court by Sir John Ramsay, her spouse and procurator.[3] The marriage, if it ever took effect, must have been speedily dissolved, though Janet Kennedy lived for many years afterwards. He married, secondly, Isobel Livingston, said to have been a daughter of Livingston of East Wemyss,[4] as on 15 February 1507-8 he again resigned subjects in Edinburgh for conjunct infeftment to himself and her.[5] This Isobel survived him, and he left James Chisholm, Bishop of Dunblane, tutor testamentar to his son.[6] It has been said that the Bishop and Bothwell were uterine brothers.[7] Bothwell's mother was Janet Napier, afterwards (before 1484) wife of John Wilson, Burgess of Edinburgh.[8] His father's name has not been ascertained. Bothwell had a son,

WILLIAM,[9] who chose curators 19 November 1524.[10] He was therefore born in or shortly before 1510, which makes it probable that he was the son of Isobel Livingston. This William Ramsay was ancestor of the Ramsays of Balmain, now represented in the female line by Sir Herbert Ramsay of Balmain, Baronet.

ARMS.—No record of the arms of Ramsay, Lord Bothwell, has come down to us. His descendants, the Ramsays of Balmain, only recorded arms in 1806: argent, an eagle displayed sable, charged in the breast with a rose of the first.

[J. B. P.]

[1] *Exch. Rolls*, xiv. 480. [2] Protocol Book of J. Foular, Edinburgh City Chambers. [3] *Acta Dom. Conc.*, xvii. 85. [4] Pedigree *penes* R. Barclay-Allardyce. Cf. *Fourth Rep. Hist. MSS. Com.*, 632. [5] Protocol Book of J. Foular. [6] *Acta Dom. Conc.*, xxvi. 19. [7] *Gen. of the House of Drummond*, 178, where the mother's name is wrongly given. [8] *Acta Parl. Scot.*, ii. 153; *Reg. Mag. Sig.*, 20 February 1483-84, 4 August 1484. [9] *Exch. Rolls*, xiv. 480. [10] *Parliamentary Records*, 545.

HEPBURN, EARL OF BOTHWELL AND DUKE OF ORKNEY

THE name of Hepburn is probably a local one derived from lands in Northumberland.[1] The house of Hailes is traditionally reported to have been founded by an Englishman taken prisoner in the reign of King David II., and long detained for non-payment of ransom, who, having on one occasion rescued the Earl of Dunbar and March from a savage horse, was rewarded by the grant of lands in East Lothian.[2]

ADAM HEPBURN had in the reign of David II. a charter of the lands of Trepren (Traprain) and Southall, of Mersingtoun, and some in Colbrandspath, to be held of the Earl of March; and of the lands of Southalls and Northalls (now called Hailes), at the Earl's disposition on the forfeiture of Hew Gourlay of Beinstoun; with the lands of Rollanstoun,

[1] Chalmers' *Caledonia*, ii. 440. Chalmers believed that these lands lay in Morpeth ward, where there is a place now called Hebron; but it seems more probable that the sirname was taken from Hebburn in the Parish of Chillingham, where a family of the name flourished from the thirteenth century or earlier till late in the eighteenth, when it ended in an heiress. Their 'bastle' still stands in Chillingham Park (*Archæologia Æliana*, xiv. 302-3). [2] Hector Boece, Bellenden's Translation, 1536, Book xvi. 235b.

Berwickshire.[1] He died before the end of the reign,[2] leaving two sons:—

1. PATRICK (afterwards Sir *Patrick*) *Hepburne*, Lord of Hailes, his successor.
2. *John*. John de Hibburne had a charter of donation dated 9 June 1363, granted by Patrick of Dunbar, Earl of March and Moray (who styles him his *alumnus*), of the lands of Over and Nether Merkill, to him and the heirs-male of his body, whom failing to Patrick Hibburne his brother and the heirs of his body;[3] Nisbet identifies the latter with Sir Patrick de Hebburne (of Hailes) who witnessed a charter of which the royal confirmation is dated 23 February 1368-69.[4]

The great family of Hepburn of Waughton is said by Sir George Mackenzie to have been the principal cadet house of Hailes;[5] and this John is held by Chalmers[6] and others to have been the ancestor of Waughton. But neither Mackenzie nor Chalmers cites any authority for the belief, and no evidence seems to be extant. It is true that in 1510 consanguinity was alleged to exist between Patrick Hepburne, younger of Waughton, and Helen, daughter of Sir Adam Hepburne of Crags, a cadet of Hailes;[7] but as the relationship was only in the third and fourth, or fourth and fourth degrees, the common ancestor must have lived generations after Adam first of Hailes. As Nisbet points out, Mr. Thomas Craufurd (a very competent authority) believed that the family of Waughton was more ancient than that of Hailes.[8]

SIR PATRICK HEPBURNE of Hailes, Knight, the eldest son, was born *circa* 1321.[9] In 1363 he obtained a safe-conduct, dated 26 April, to visit the shrine of St. Thomas of Canterbury.[10] The seal of Patrick de Hebborne, appended to the Act of the Parliament of Scotland settling the succession to the crown, dated 27 March 1371, bears on a chevron

[1] Robertson's *Index of Missing Charters*, 41, 42. Nisbet held that these charters dated from the reign of King Robert I. Nisbet's *System of Heraldry*, ed. 1804, i. 153. [2] *Caledonia*, ii. 441. [3] *Reg. Mag. Sig.*, folio ed. 1814, No. 63, p. 31. [4] *Ibid.*, No. 184, p. 59; *Heraldry*, i. 153. [5] Additional MSS., British Museum, No. 12,464. [6] *Caledonia*, ii. 441 *n.* [7] *Laing Charters*, No. 278. [8] *Notes, etc., on Buchanan's History of Scotland*, 173. [9] Goodall, *Scotichronicon*, 433. [10] Rhymer's *Fœdera*, Hague ed., vol. iii. part ii. 75.

a rose between two lions combatant within a bordure engrailed; the shield in the centre of pointed tracery.[1] He obtained from King Richard II. a letter of safe-conduct to pass into England with twelve men and twelve horses, dated 4 December 1381, on the allegation that he was about to proceed to the Holy Land.[2] At the battle of Otterburne on 19 August 1388 he and his son Patrick gallantly saved the banner of Douglas from falling into the hands of the English.[3] When the Earl of March fled to England in July 1400, Sir Patrick and his sons seem to have separated from his party and joined that of Douglas. Sir Patrick was alive on 22 June 1402, being then over eighty years of age.[4]

He married, first, Agnes . . . . . (*vide infra*), and

Secondly, Eleanor Bruce, Countess of Carrick, only daughter of Sir Archibald Douglas (brother of the good Sir James Douglas), who was for a few months guardian of the kingdom. She was married first to Sir Alexander Bruce, son of Edward Bruce, brother of King Robert, who inherited his father's title of Earl of Carrick.[5] He was killed at the battle of Halidon Hill, 19 July 1333,[6] and his widow retained the title of Countess of Carrick during her life. A dispensation dated at Avignon 15 Kal. Aprilis 1376 was granted by Pope Gregory XI., permitting 'the noble man Patrick de Hepborn, Knight, and Eleonora de Bruys, Comitissa de Carrick,' to marry, notwithstanding that Agnes, his former wife, was within the fourth degree of consanguinity to the Countess.[7] She must have been far advanced in life when she was married to Sir Patrick, who seems to have been her fifth husband.[8] He died before King Robert III.[9] By his first wife he was father of

PATRICK HEPBURNE younger of Hailes, whom Bower styles '*Miles magnanimus et athleta bellicosus.*'[10] His gallant behaviour at Otterburne has been mentioned above. He died *v. p.*, slain in a conflict against the Earls of Northumberland and March at West Nisbet in Berwickshire on 22nd June 1402.[11]

[1] Laing's *Catalogue of Seals*, No. 427. [2] *Fœdera*, vol. iii. part iii. 131. [3] Froissart's *Chronicle*, Johnes' Translation, 1805, iv. 12. [4] *Scotichron.*, ii. 433. [5] Fraser's *The Douglas Book*, 214-215; *Scotichron.*, ii. 310. [6] Crawfurd's *Peerage*, 72. [7] Andrew Stuart's *History of the Stewarts*, 440. [8] *Douglas Book, ut supra.* [9] *Caledonia*, ii. 442. [10] *Scotichron.*, ii. 433. [11] Pinkerton's *Hist. of Scotland*, i. 71, 72.

He married a daughter and co-heir of the family of Vaux or de Vallibus, Lords of Dirlton, with whom he got a great accession to his estate. Patrick, first Earl of Bothwell, his descendant, quartered a bend for Vaux with his paternal coat in 1498.[1] Patrick, third Earl, bore the same in 1538,[2] and James, fourth Earl, in 1567.[3]

He had issue three sons:—

1. Adam (afterwards *Sir Adam*) *Hepburne*.
2. *William*, who is mentioned in an indenture dated at Halys, 4 January 1437, preserved in the Wedderburn charter-chest.[4]
3. *Archibald*, who is mentioned along with his brothers in the same indenture, and also, as brother-german of Adam de Hepburne, Lord of Hailes, on 12 March 1420, in a charter confirmed 8 December 1440.[5] He is also named as uncle of Patrick Hepburn, Lord Hailes, in a charter by the latter to the monks of Coldingham, at Dunbar, 25 November 1450.[6] He may perhaps be identical with Archibald Hepburne, *armiger* and burgess of Haddington, whose name appears frequently in the records from 1450 onwards, and who probably left a son of the same name.

Adam (afterwards Sir Adam) Hepburne of Hailes, who succeeded his grandfather, was one of the Scottish Commissioners sent to England in 1423 to treat for the release of King James I. from captivity.[7] He was knighted by that King at his coronation on 21 May 1424.[8] He was afterwards one of the supplementary hostages for King James I., and was finally released by order dated 9 November 1427.[9] He was sent with others, in 1434, to take possession of the Castle of Dunbar, belonging to the Earl of March; the charge of which after its surrender was confided to him by the King.[10] A payment of £30 was made to him as keeper of the castle by order of the King, in 1435.[11] He was present at the conflict at Piperden near Berwick on 10 September 1436,[12] and was one of the conservators

[1] Nisbet, *Heraldry*, i. 153. [2] Laing's *Seals*, i. No. 429. [3] Nisbet, *ut supra*. [4] Riddell Notes. [5] *Reg. Mag. Sig.* [6] Raine's *North Durham*, App., No. cccxxix. [7] *Fœdera*, vol. iv. part iv. 102. [8] *Scotichron.*, ii. 482, 483; Ramsay's *Lancaster and York*, i. 490 *n.* [9] *Fœdera*, vol. iv. part iv. 117, 118, 130. [10] *Scotichron.*, ii. 500. [11] *Exch. Rolls*, iv. 620. [12] *Scotichron.*, ii. 501.

of a truce with England 31 March 1438.[1] He was styled Steward of the earldom of March on 1 January 1443-44.[2] He was alive early in 1446,[3] but died later in that year,[4] leaving issue :—

1. Patrick Hepburne (afterwards *Sir Patrick* and first Lord Hailes), his successor.
2. *William Hepburne*, who is first named in a charter already cited, by his brother Patrick, Lord of Hailes, on 25 November 1450.[5] He is also designate brother to George Hepburne of Rollandistoun as witness to a charter granted by the latter on 27 February 1456-57.[6] He was perhaps in attendance on his father during part of the time when the latter was a hostage in England, in 1425-27.[7] He appears to have been spouse of Elizabeth Touris on 1 March 1453.[8]
3. *George Hepburne* of Rollandston, in the parish of Greenlaw, county Berwick, whom Nisbet shows as first of Whitsome. He had a charter dated 18 September 1456 of two husband lands in Ballyncreyf, which were afterwards known as Rollandstoun's (or Rowistoun's) lands. On 17 February 1456-57 he granted a liferent charter of those lands, witnessed by Patrick Lord Halis, his brother, to Jonet Malvyn (Melville) his spouse, *causâ ac nomine dotis*. The seal is still attached to this charter, and shows the arms of Hepburn of Hailes with a mullet in canton. The rose resembles a mullet pierced.[9] It is probably he who appears as Gregory Hepburn in a charter by his brother Patrick on 25 November 1450.[10]

   He appears to have had by Jonet Malvyn, his spouse, a son,

   (1) *John*, whose parentage is nowhere stated; but he appears as John Hepburne of Rollanstoun from *circa* 1486 onwards. He was a bailie, and custumar, of Haddington; principal Steward of the Royal Household; had tacks of various lands, and was appointed Commissioner for letting Crown

1 *Fœdera*, vol. v. part i. 50. 2 *Historical MSS. Com.*, *Wedderburn Castle MSS.* 262. 3 *Exch. Rolls*, v. lxvii. *n.* 4 Bannatyne *Miscellany*, x. 275. 5 Raine's *North Durham*, App., No. cccxxix. 6 Blackbarony Writs in the Elibank Charter-Chest. 7 *Fœdera*, vol. iv. part iv. 118. 8 *Inventories of Titles, Miscellaneous*, vol. iii., H. M. Gen. Reg. Ho. 9 Blackbarony Writs. 10 Raine's *North Durham*, App., No. cccxxix.

lands.[1] In 1507 he granted a procuratory of resignation of Rowistoun's lands in the hands of the Sovereign, superior thereof, in favour of George Hepburne, his eldest son and apparent heir.[2] He died *circa* 1510-11.[3]

He married Margaret Wricht,[4] one of the heirs of umquhile William Wricht, burgess of Cupar.[5] His son,

i. *George Hepburne* of Rollanstoun, was served heir to him in Rowistoun's lands in Ballincrieff on 7 May 1511.[6] He succeeded his father as custumar of Haddington, and held that office until his death,[7] and he rendered the accounts of the bailies of Haddington from 11 July 1511.[8] He died *ante* 4 July 1514.[9]

He married Alesone Hammiltoun.[10] He seems to have had

(1) A son who died *v. p.*, leaving—

a. *Patrick Hepburne* of Rollandstoun, who had sasine of Ballincrieff on 24 October 1513, being designate *nepos* of the Laird of Rollanstoun.[11] He died *ante* 13 May 1529.[12]

b. *Agnes Hepburne*, who had sasine of Rowistoun's lands, following on a retour as sister and heir to Patrick Hepburne of Rollanstoun, on 13 May 1529. She granted charter thereof under reversion to Jonet Lady Setoun on 10 May 1537, being further designate spouse to Alexander Hamiltoun in Prestoun.[13] She was succeeded by her son George Hamiltoun in Prestoun, who on 9 November 1570 had sasine of one of two husband lands called Rowistoun's lands,[14] and on 28 June 1593 was served heir to Patrick Hepburne his maternal uncle in the lands of Rollanstoun, co. Berwick.[15] But these lands had apparently then been long in possession of another branch of the family; they had probably reverted to the head of the house, the tenant in chief, soon after the death of Patrick Hepburne.

4. *Mr. Adam Hepburne*, Dean of the Collegiate Church of Dunbar, is designate brother to Patrick Hepburne, Lord of Halis, as witness to a charter granted by the latter, and dated at Halis 13 June 1448.[16]

5. *John Hepburne*, Bishop of Dunblane. This prelate

[1] *Exch. Rolls*, ix. 626, and x. *passim*. [2] Blackbarony Writs. [3] *Ibid.* [4] *Exch. Rolls*, ix. 626. [5] *Reg. Mag. Sig.*, 16 January 1509. [6] Blackbarony Writs. [7] *Exch. Rolls*, xiii. 383, 488, 571. [8] *Ibid.*, 496, 581. [9] *Ibid.*, xiv. 48. [10] *Ibid.* [11] *Ibid.*, xiv. 516. [12] Blackbarony Writs; *Reg. of Acts and Decreets*, i. 532, 24 November 1543. [13] Blackbarony Writs. [14] *Ibid.* [15] Retours, Berwick [499]. [16] *Laing Charters*, No. 126.

was a Lord of Council and Session in 1467, and died 1486.[1]

6. *Elizabeth Hepburne*, was married to Alexander, Master of Montgomerie.[2] He died in 1452.[3]
7. *Helen Hepburne* was married on 10 July 1446, contract dated 20 February 1445-46, to John Somerville, styled Baron of Carnwath (eldest son and apparent heir of William, second Lord Somerville), who afterwards succeeded as third Lord Somerville. She died *ante* March 1456-57.[4]
8. *Annes Hepburne* is mentioned as sister of Patrick Hepburne, Lord of Halis, in the contract of marriage between Adam his son and Elyne Home dated at Tynynghame 2 February 1448, and now preserved in the Buccleuch charter-chest.[5]

I. PATRICK HEPBURNE (afterwards Sir Patrick, and first Lord Hailes), the eldest son, had a charter dated 29 June 1444, from William Earl of Douglas, of certain lands in the lordship of Dunsyre, co. Lanark, which was confirmed 20 May 1452.[6] Before his father's death he took possession of Dunbar Castle without authority; Joan Beaufort, the Queen-Dowager, resided in the Castle, while he held it, for some time; but after her death, which took place there on 15 July 1445,[7] he evacuated the place.[8] On 25 November 1450, he granted lands in Coldingham and neighbourhood to the monks there, and to this charter a fine seal of arms is attached.[9] On 10 December 1450 he had a charter of the lands of Little Lambertoun, commonly called Sherefbygyn, and of the office of Sheriff of Berwick, which was confirmed on 20 May 1452.[10] On 20 December 1451 he had a Crown charter of the lordship of Halis and other lordships and lands, which his predecessors formerly held in heritage of the Earls of March, who again held them of the Crown in chief; also the lands of Prendergest and others in the sheriffdom of Berwick, with all right in

[1] Keith's *Cat. of Bishops*, 104. [2] Crawfurd's *Peerage*, 128; Fraser's *Memorials of the Montgomeries, Earls of Eglinton*, i. 25. [3] *Ibid.* [4] *Memorie of the Somervilles*, i. 194, 195, 211. [5] Fraser's *Scotts of Buccleuch*, ii. 39. [6] *Reg. Mag. Sig.* [7] *Auchinleck Chronicle*, 7. [8] Raine's *Hist. of North Durham*, App. 22; Buchanan's *Rerum Scot. Hist.*, ed. 1668, p. 378. [9] Raine's *North Durham*, App., No. cccxxix. [10] *Reg. Mag. Sig.*

the lands formerly held by George, Earl of March, and forfeited by him:—the whole erected into a free barony to be called the barony of Halis.[1] He was one of the conservators of truces with England in 1449, 1451, -3, -7, and 1459.[2] He was created a Peer of Parliament by the title of LORD HAILES between 31 October 1452,[3] and 14 June 1453.[4] He seems to have been alive on 6 December 1482,[5] and to have died shortly after that date.[6]

He appears to have been twice married. Elene Wallace was his spouse at the date of his death; she survived him.[7] He had issue:—

1. ADAM, Master of Hailes, of whom after.
2. *Patrick Hepburne* (of Beinston). He had from his father charter of Benestoun, extending to two husband lands, with 'ane pece land called the Reid Abbayes Croft.'[8] He was dead *ante* 19 November 1518.[9]

   He married Christian Ogilvie, who is called relict of John Campbell of Auchreoch.[10] (*See title* Breadalbane.) By her[11] he was father of

   (1) *Mr. John Hepburne* of Beinstoun,[12] who is not known to have married. On 16 March 1542-43 letters of legitimation were granted to Patrick and six other natural sons and daughters of Mr. John Hepburne of Benestoune.[13] This Patrick was his father's cessioner, and succeeded him in Beanstoune,[14] but is usually designate of Quhytcastell,[15] *alias* Nunraw.[16] He was knighted *ante* 1 November 1574.[17] He married Margaret Cockburne, daughter of Sir James Cockburne of Langtoun,[18] and founded a new family of Hepburne of Beinston. He died in the month of November 1583.[19]

   (2) *Patrick Hepburne* is said to have been educated by his uncle John, Prior of St. Andrews,[20] whom he succeeded as Prior shortly before 29 January 1525-26.[21] In the next month he was tutor to Patrick, third Earl of Bothwell.[22] In 1524 he was appointed Secretary of State, and he held the office till

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[1] *Reg. Mag. Sig.* [2] *Fœdera*, v. pt. ii. 19, 37, 50, 75 and 89. [3] *Reg. Mag. Sig.* [4] *Exch. Rolls*, v. 581. [5] *Acta Parl. Scot.*, ii. 134a; *Acta Dom. Aud.*, 101b. [6] *Caledonia*, ii. 445. [7] *Acta Dom. Conc.*, 98*. [8] Precept, of 29 April 1586, for charter of confirmation, *Reg. Sec. Sig.*, liii. 176. [9] *Acta Dom. Conc.*, xxxii. 6. [10] *Acts and Decreets*, viii. 565b, 28 July 1554. [11] *Ibid.* [12] *Acta Dom. Conc.*, xxxii. 6, 19 November 1518. [13] *Reg. Mag. Sig.* [14] *Acts and Decreets*, iii. 398, 12 March 1549. [15] *MS. Reg. of Deeds*, xxi. 146, 9 and 12 June 1583. [16] *Laing Charters*, No. 722. [17] Charter confirmed 23 November 1574, *Reg. Mag. Sig.* [18] Charter confirmed 3 December 1566, *Reg. Mag. Sig.* [19] Edin. Tests., 5 January 1584-85. [20] Keith's *Cat.*, 88. [21] *Exch. Rolls*, xv. 239 *n.*, 242 *n.* [22] *Caledonia*, vol. ii. 447, quoting Cottonian MSS. B. M., *Caligula*, vii. 30.

1527. He was provided Bishop of Moray and Commendator of Scone on 14 June 1538.[1] He succeeded to the lands of Cleishbeny (which had belonged to Christian Ogilvie) as heir to Mr. John Hepburne of Beinstoune, his brother.[2] In December 1567 he was summoned for treason along with many others of his name, including Adam Hepburne of Ballinghard, and Patrick Hepburne, Rector of Kynnoir, his sons.[3] He had a large number of natural children by different mistresses, some of whom obtained letters of legitimation on 18 December 1533;[4] some on 4 October 1545;[5] and others on 14 May 1550.[6] He found the Bishopric of Moray in good condition, but he feued out all the lands belonging to it.[7] He also feued out to his natural children many of the lands belonging to the Abbey of Scone. Among these were the lands of Ballinhard (or Bonhard) and Boghall; of which, on 22 January 1540, he granted a feu-charter to Patrick Hepburne, natural son to Isabell Lydell, with remainder to Adam and George Hepburne his brothers-german. This charter was confirmed by certain Commissioners appointed by the Apostolic See on 21 July 1542.[8] Patrick Hepburn having died *s.p.m.* *ante* 20 February 1560, was succeeded in his lands by the said Adam, who founded the family of Hepburne of Bonhard.[9] He had been legitimated on 4 October 1545.

At the Reformation Patrick, Bishop of Moray, experienced the same treatment as other prelates; but his ability and influence enabled him to keep possession of Spynie Castle, the Palace belonging to the See, where he died on 20 June 1573. He was buried in the choir of Elgin Cathedral.[10]

3. *Alexander Hepburne* (of Whitsome) had charter dated at Halis 11 February 1462, granted by Patrick Hepburn, Lord Halis, of his lands of Quhytsum, with their pertinents, in the sheriffdom of Berwick; wherein the said Alexander is styled son of the granter.[11] He was Sheriff of Edinburgh 1483-85,[12] and on 16 June 1488 was appointed Sheriff and Seneschal of Fife for five years.[13] In 1492 and 1493 he was associated with his brother-in-law, Henry Napier, in the office of Admiral-Depute to Patrick, first Earl of Bothwell.[14] He had a charter of alienation, dated 12 May 1492, granted by John, Lord Lindsay of the Byres, of the lands of Duntarvy and

[1] Brady's *Episcopal Succession*, i. 137, 209. [2] Protocol Book of Robert Rollok, H.M. Reg. Ho., 94a; *Acts and Decreets*, viii. 565b, 28 July 1554. [3] *Acta Parl. Scot.*, iii. 6. [4] *Reg. Mag. Sig.* [5] *Ibid.* [6] *Ibid.* [7] From a foresight, Keith thought, of coming events. *Catalogue*, 88. [8] Inventory of Bonhard Writs, City Chambers, Perth. [9] *Ibid.* [10] Keith's *Catalogue*, 88. [11] *Hist. MSS. Com.*, *Report on Wedderburn Castle MSS.*, 260. [12] *Acta Parl. Scot.*, ii. 154. [13] *Reg. Mag. Sig.* [14] *Acta Dom. Conc.*, 290.

Sanct Serf's Law, in the sheriffdom of Linlithgow.[1] On 4 November 1508, he had, with Jonet Napier his spouse, charter of feu-farm granted by James Wardlaw of Riccartoun, of the lands of Riccartoun, with tower, etc., lying (in the sheriffdom of Edinburgh, but) by annexation in the barony of Ratho and shire of Renfrew.[2] His successors were frequently designate 'of Riccartoun.'

He married Jonet Napier, Lady Edmonstoun,[3] daughter of Sir Alexander Napier of Merchistoun,[4] and relict of Sir David Edmonstoun of that Ilk.[5] By her he had issue:—

(1) Alexander Hepburne, his successor.
(2) *Mr. James Hepburne* was rector of Partoun in July 1510,[6] and was also rector of Dalry in Galloway.[7] He was postulate Abbot of Dunfermline in 1515, and assumed the title, but may not have been inducted.[8] He held the office of Lord High Treasurer of Scotland from 25 June 1515 to 25 January 1515-16.[9] In the same year he was consecrated Bishop of Moray,[10] and was admitted to the temporality of the See on 26 August 1516.[11] He died two or three days before Martinmas 1524,[12] and was buried in Elgin Cathedral.[13]
(3) *Marion Hepburne.* She was married, before 16 March 1500-1, to Patrick Levingstoun of Castlecary.[14]
(4) *Agnes Hepburne.* Married, contract before 2 April 1501, to William Livingstoun, eldest son and heir-apparent of James (third) Lord Livingstoun,[15] who afterwards became fourth Lord Livingstoun. Alexander, fifth Lord Livingstoun, his son, is designed nephew (*nepos*) of James Hepburne, Bishop of Moray, on 25 April 1518.[16] She was alive 3 February 1509-10.

Sir Alexander Hepburne, son and heir-apparent, is mentioned with his parents on 1st August 1488.[17] He was knighted before 28 April 1508.[18] He died *ante* 17 September 1517.[19] He married Isobel Wardlaw.[20] Mr. James Hepburne, Dean of Dunkeld, may have been his son, but of this no positive

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[1] Precept for ch. of confn. 29 November 1585, *Reg. Sec. Sig.*, liii. 81. [2] *Acts and Decreets*, excix. 391, 28 May 1602, and ccxi. 428, 8 June 1605. [3] *Reg. Mag. Sig.*, 1 August 1488, and *Acts and Decreets*, *loc. cit.* [4] Precept to the Steward of Monteith, 1 Oct. 1481, Napier Charter-Chest. [5] *Acta Dom. Conc.*, xxiv. 167. [6] *Ibid.*, xxi. 200. [7] *Calendar Letters and Papers, Henry VIII.*, vol. ii. part i., No. 778, 205. [8] *Registrum de Dunfermelyn*, preface, xvi. [9] *Treasurer's Acc.*, v. 1. [10] Keith's *Catalogue*, 87. [11] *Reg. Sec. Sig.*, v. 71. [12] *Acta Dom. Conc. et Sess.*, vi. 207. [13] Keith's *Catalogue*, *loc. cit.* [14] Protocol Book of John Foular, Council Chambers, Edinburgh, 16 March 1500-1 and 31 August 1503. [15] Appointment dated *inter* 2 April and July 1501, *Acta Dom. Conc.*, x. 106b. [16] *Reg. Mag. Sig.* [17] *Ibid.* [18] *Reg. Sec. Sig.*, iii. 76b. [19] *Wedderburn Castle MSS.*, *ut sup.*, No. 597, p. 261; *Edin. Com.*, xiv. 2 November 1584. [20] *Reg. Sec. Sig.*, iii. 76b.

proof has been found. Mr. James was executor to the estate of James, Bishop of Moray.[1] Sir Alexander's eldest son

Alexander (afterwards *Sir Alexander*) *Hepburne* of Whitsome, had sasine on 7 November 1517 of the lands of Duntarvy on precept of *clare constat*.[2] He and his spouse purchased the half-lands of Malcolmstoun, co. Edinburgh, charter confirmed 12 December 1532.[3] He was Sheriff-Depute of Edinburgh in 1539, 1542, and 1544.[4] Under the style of *Miles* he witnessed a charter dated 13, confirmed 24 October 1539.[5] He was Admiral-Depute in 1544-45.[6]

He married, first, Elene Sinclair, relict of Sir John Mowbray of Barnbougall, Sir John having died in 1518.[7] She was alive 9 October 1540.[8]

Marioun Hay is mentioned along with Sir Alexander in a judicial proceeding dated 17 March 1544-45.[9]

He married lastly, apparently between April and December 1549, Dame Marioun Wardlaw, Lady Dudhope.[10] She was relict of James Scrimgeour of Dudhope, Constable of Dundee.[11] She survived Sir Alexander, who died *ante* 17 December 1551.[12] He had issue by his first wife:—

(i) *Alexander* (afterwards *Sir Alexander*) *Hepburne*, his successor.

(ii) *Elizabeth Hepburne*, who was married to John Lundy, son and heir-apparent of Walter Lundy of that Ilk.[13]

Sir Alexander seems also to have left an illegitimate family, the members of which were people of some importance. On 7 July 1599 a case was heard at the instance of Patrick Hepburne of Riccartoun, eldest lawful son to umquhile Sir Alexander Hepburne of Riccartoun, only lawful brother to umquhile Mr. Robert Hepburne, parson of Hauche, etc.[14] The same Mr. Robert was found by the Lords on 14 January 1623 to have been born bastard.[15] He was styled successively of Duntarvy, of Magdalens (in the Lordship of Charterhouse, co. Perth), and of Foord. Mr. Thomas Hepburne, parson and proprietor of Auldhamstocks, called Mr. Robert his brother in his latter will, witnessed by Sir Alexander Hepburne of Quhitsum, and confirmed in the Commissariot of Edinburgh 14 July 1586; and Mr. Thomas is himself called natural son of Alexander Hepburne of Quhitsum on 12 June 1543.[16] It was pos-

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[1] *Reg. Mag. Sig.*, 6 November 1535. [2] *Edin. Com.*, xiv. 2 November 1584. [3] *Reg. Mag. Sig.* [4] *Acta Parl. Scot.*, ii. 353, 409;—*Reg. Mag. Sig.*, 31 December 1544. [5] *Ibid.* [6] *Acts and Decreets*, ii. 6, 14 March 1544-45. [7] *MS. Acta Dom. Conc. et Sessionis*, iv. 45; *Acts and Decreets*, i. 325. [8] Swinton Charters, Register Ho. [9] *Acts and Decreets*, ii. 7. [10] Obligation dated 15 April, registered 28 November 1549, *Acts and Decreets*, iii. 199. [11] *Acta Dom. Conc.*, xxiv. 15, 15 July 1547. [12] *Acts and Decreets*, vi. 91. [13] *Reg. Mag. Sig.*, 12 February 1548-49, confirming ch. of 16 August 1544. [14] *Acts and Decreets*, vol. clxxviii. 182. [15] *Ibid.*, vol. ccclxix. 26. [16] *Wedderburn Castle MSS.*, No. 573, p. 254.

sibly another illegitimate son of Sir Alexander who was killed in a sortie from the Castle of Edinburgh, 30 August 1571.[1]

Alexander (afterwards *Sir Alexander*) *Hepburne* was a minor at his father's death.[2] He appears in possession of parts of Auldhamstocks in 1561 and 1562.[3] On 7 December 1565 he is mentioned as Captain of certain horsemen on the side of the King and Queen;[4] and he was 'first houshald man and familiar servand' to the King Consort.[5] He was probably knighted on 12 May 1567.[6] He met Queen Mary on her escape from Lochleven, 2 May 1568, and escorted her with a few horsemen towards Niddrie; and he was soon afterwards detailed to attempt the seizure of Dunbar Castle, in which he was unsuccessful.[7] He was forfeited by Parliament 19 August 1568 for not appearing to answer charges of treason.[8] On 20 August 1568, King James VI., with consent of the Lord Regent, granted by letters under the Privy Seal to William Cunynghame, son and heir of Alexander, Earl of Glencairn, the escheat of Alexander Hepburne of Quhitsum, knight; which escheat the grantee afterwards disponed and transferred to the children of the said Sir Alexander.[9] His forfeiture was rescinded by the Parliament held at Stirling 15 July 1578.[10]

He married Jonet Cunynghame, sister to John Cunynghame of Glengarnock,[11] and had issue by her:[12]—

a. *Alexander Hepburne*, who died *v. p.*, *ante* 9 February 1589.[13]
b. *Patrick*, his successor.
c. *Thomas*.
d. *James*.
e. *Elizabeth*.
f. *Margaret*.
g. *Helen*.
h. *Jane*.
i. *Katherine*.
j. *Marie*.

He also had three other daughters, named *Agnes*, *Marion*, and *Isobel*.[14]

Patrick Hepburne, who succeeded, seems from references to him in the Register of the Privy Council of Scotland from 1593 to 1599

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[1] *Cal. Scottish Papers*, etc., iii. 676, No. 911. [2] *Acts and Decreets*, vi. 91, 17 December 1551. [3] *Laing Charters*, No. 728;—*Acts and Decreets*, xxviii. 381. [4] *Reg. Privy Council*, i. 410. [5] *Cal. Scot. Pap.*, Bain, ii. 524. [6] *Diurnal of Occurrents*, Maitland Club, 1833, p. 111. The diarist gives the name of Alexander Hepburne of Benstoun. But there never was such a person; Benstoun was probably written in error instead of Quhitsum. Sir Alexander was undoubtedly knighted about that time. [7] *Cal. Scot. Pap.*, Bain, ii. 424. [8] *Acta Parl. Scot.*, iii. 54b. [9] *Acts and Decreets*, xliv. 196, 9 July 1569. [10] *Acta Parl. Scot.*, iii. 110a. [11] *Ibid* [illegible] *Mag. Sig.*, 16 August 1568. [12] *Acts and Decreets*, *ut* [illegible] *Deeds*, xxxviii. 129. [14] *Ibid.*, xxxv. 188.

to have been violent in disposition and of lawless life. He parted successively with the superiority of Whitsome—'all that remained to him thereof,'[1] and with the lands of Wollines;[2] and lost his right to Riccartoun.[3] He died before 20 November 1606.[4]

He married, contract dated 5 April 1589, Susanna Napier (eldest lawful daughter of Sir Archibald Napier of Edinbellie, Knight, by Elizabeth Mowbray, his second wife[5]), who survived him.[6] By her he had:—

(*a*) *Archibald Hepburne*, eldest son,[7] who was born in July 1594,[8] and died *v.p.* His brother Alexander was served heir to him.[9]

(*b*) *Alexander Hepburne*, who succeeded his father, lost the lands of Malcolmstoun, the last of the family properties, by decision of the Lords of Council, on 14th March 1609.[10] He was served heir-general to his father 7th April 1619.[11]

(*c*) *Agnes Hepburne*.[12]

4. *John Hepburne*, Prior of St. Andrews, to whom Mr. George Hepburne, Dean of Dunkeld, is styled brother in a charter of January 1506-7.[13] He founded St. Leonard's College in the University of St. Andrews in 1512, and about eight years later built a fine wall with turrets at proper distances round great part of the city upon his own charges.[14] He was tutor to Patrick, third Earl of Bothwell, his great-grand-nephew, on 16 February 1516-17.[15] He was alive on 20 July 1525,[16] and died within a few months thereafter.[17]

5. *Mr. George Hepburne*, Dean of Dunkeld, is designate brother-german to Patrick Hepburne, son to Patrick Hepburne, Lord Halis;[18] also brother to John, Prior of St. Andrews (*q.v.*), and paternal uncle to George

[1] Contract in Wedderburn Castle MSS., No. 136, p. 62. [2] *Secretary's Register*, Edinburgh, etc., ii. 4, 17 April 1602. [3] *Acts and Decreets*, ccxi. 428, 8 June 1605, and ccxl. 288, 14 March 1609. [4] *Reg. of the Privy Council*, vii. 274. [5] *Reg. of Deeds*, xxxv. 188. [6] *Acts and Decreets*, ccxl. 288, 14 March 1609. [7] *Acts and Decreets.* [8] *Ibid.*, ccxviii. 10, 22 June 1605. [9] *Ibid.*, ccxxxii. 456, 9 July 1608. [10] *Acts and Decreets*, cccvi. 353. [11] *Inq. Gen.* [820]. [12] *Acts and Decreets*, ccliii. 266, 9 June 1610. [13] Confirmed 8 February 1506-7, *Reg. Mag. Sig.* [14] *Reliquiæ Divi Andreæ*, by Mr. George Martine, 192. [15] *Acta Dom. Conc.*, xxix. 4. [16] *Exch. Rolls*, xv. 242 *n.* [17] *Ibid.*, 239 *n.* [18] *Reg. Sec. Sig.*, liii. 176, *penult.* April 1586.

He married a daughter and co-heir of the family of Vaux or de Vallibus, Lords of Dirlton, with whom he got a great accession to his estate. Patrick, first Earl of Bothwell, his descendant, quartered a bend for Vaux with his paternal coat in 1498.[1] Patrick, third Earl, bore the same in 1538,[2] and James, fourth Earl, in 1567.[3]

He had issue three sons:—

1. ADAM (afterwards *Sir Adam*) *Hepburne*.
2. *William*, who is mentioned in an indenture dated at Halys, 4 January 1437, preserved in the Wedderburn charter-chest.[4]
3. *Archibald*, who is mentioned along with his brothers in the same indenture, and also, as brother-german of Adam de Hepburne, Lord of Hailes, on 12 March 1420, in a charter confirmed 8 December 1440.[5] He is also named as uncle of Patrick Hepburn, Lord Hailes, in a charter by the latter to the monks of Coldingham, at Dunbar, 25 November 1450.[6] He may perhaps be identical with Archibald Hepburne, *armiger* and burgess of Haddington, whose name appears frequently in the records from 1450 onwards, and who probably left a son of the same name.

ADAM (afterwards Sir ADAM) HEPBURNE of Hailes, who succeeded his grandfather, was one of the Scottish Commissioners sent to England in 1423 to treat for the release of King James I. from captivity.[7] He was knighted by that King at his coronation on 21 May 1424.[8] He was afterwards one of the supplementary hostages for King James I., and was finally released by order dated 9 November 1427.[9] He was sent with others, in 1434, to take possession of the Castle of Dunbar, belonging to the Earl of March; the charge of which after its surrender was confided to him by the King.[10] A payment of £30 was made to him as keeper of the castle by order of the King, in 1435.[11] He was present at the conflict at Piperden near Berwick on 10 September 1436,[12] and was one of the conservators

[1] Nisbet, *Heraldry*, i. 153. [2] Laing's *Seals*, i. No. 429. [3] Nisbet, *ut supra*. [4] Riddell Notes. [5] *Reg. Mag. Sig.* [6] Raine's *North Durham*, App., No. cccxxix. [7] *Fœdera*, vol. iv. part iv. 102. [8] *Scotichron.*, ii. 482, 483; Ramsay's *Lancaster and York*, i. 490 *n.* [9] *Fœdera*, vol. iv. part iv. 117, 118, 180. [10] *Scotichron.*, ii. 500. [11] *Exch. Rolls*, iv. 620. [12] *Scotichron.*, ii. 501.

of a truce with England 31 March 1438.[1] He was styled Steward of the earldom of March on 1 January 1443-44.[2] He was alive early in 1446,[3] but died later in that year,[4] leaving issue:—

1. PATRICK HEPBURNE (afterwards *Sir Patrick* and first Lord Hailes), his successor.
2. *William Hepburne*, who is first named in a charter already cited, by his brother Patrick, Lord of Hailes, on 25 November 1450.[5] He is also designate brother to George Hepburne of Rollandistoun as witness to a charter granted by the latter on 27 February 1456-57.[6] He was perhaps in attendance on his father during part of the time when the latter was a hostage in England, in 1425-27.[7] He appears to have been spouse of Elizabeth Touris on 1 March 1453.[8]
3. *George Hepburne* of Rollandston, in the parish of Greenlaw, county Berwick, whom Nisbet shows as first of Whitsome. He had a charter dated 18 September 1456 of two husband lands in Ballyncreyf, which were afterwards known as Rollandstoun's (or Rowistoun's) lands. On 17 February 1456-57 he granted a liferent charter of those lands, witnessed by Patrick Lord Halis, his brother, to Jonet Malvyn (Melville) his spouse, *causâ ac nomine dotis*. The seal is still attached to this charter, and shows the arms of Hepburn of Hailes with a mullet in canton. The rose resembles a mullet pierced.[9] It is probably he who appears as Gregory Hepburn in a charter by his brother Patrick on 25 November 1450.[10]

   He appears to have had by Jonet Malvyn, his spouse, a son,

   (1) *John*, whose parentage is nowhere stated; but he appears as John Hepburne of Rollanstoun from *circa* 1486 onwards. He was a bailie, and custumar, of Haddington; principal Steward of the Royal Household; had tacks of various lands, and was appointed Commissioner for letting Crown

[1] *Fœdera*, vol. v. part i. 50. [2] *Historical MSS. Com.*, *Wedderburn Castle MSS.* 262. [3] *Exch. Rolls*, v. lxvii. *n.* [4] Bannatyne *Miscellany*, x. 275. [5] Raine's *North Durham*, App., No. cccxxix. [6] Blackbarony Writs in the Elibank Charter-Chest. [7] *Fœdera*, vol. iv. part iv. 118. [8] *Inventories of Titles, Miscellaneous*, vol. iii., H. M. Gen. Reg. Ho. [9] Blackbarony Writs. [10] Raine's *North Durham*, App., No. cccxxix.

lands.[1] In 1507 he granted a procuratory of resignation of Rowistoun's lands in the hands of the Sovereign, superior thereof, in favour of George Hepburne, his eldest son and apparent heir.[2] He died *circa* 1510-11.[3]

He married Margaret Wricht,[4] one of the heirs of umquhile William Wricht, burgess of Cupar.[5] His son,

i. *George Hepburne* of Rollanstoun, was served heir to him in Rowistoun's lands in Ballincrieff on 7 May 1511.[6] He succeeded his father as custumar of Haddington, and held that office until his death,[7] and he rendered the accounts of the bailies of Haddington from 11 July 1511.[8] He died *ante* 4 July 1514.[9]

He married Alesone Hammiltoun.[10] He seems to have had

(1) A son who died *v. p.*, leaving—

a. Patrick Hepburne of Rollandstoun, who had sasine of Ballincrieff on 24 October 1513, being designate *nepos* of the Laird of Rollanstoun.[11] He died *ante* 18 May 1529.[12]

b. Agnes Hepburne, who had sasine of Rowistoun's lands, following on a retour as sister and heir to Patrick Hepburne of Rollanstoun, on 18 May 1529. She granted charter thereof under reversion to Jonet Lady Setoun on 10 May 1537, being further designate spouse to Alexander Hamiltoun in Prestoun.[13] She was succeeded by her son George Hamiltoun in Prestoun, who on 9 November 1570 had sasine of one of two husband lands called Rowistoun's lands,[14] and on 28 June 1592 was served heir to Patrick Hepburne his maternal uncle in the lands of Rollanstoun, co. Berwick.[15] But these lands had apparently then been long in possession of another branch of the family; they had probably reverted to the head of the house, the tenant in chief, soon after the death of Patrick Hepburne.

4 *Mr. Adam Hepburne*, Dean of the Collegiate Church of Dunbar, is designate brother to Patrick Hepburne, Lord of Halis, as witness to a charter granted by the latter, and dated at Halis 13 June 1448.[16]

5. *John Hepburne*, Bishop of Dunblane. This prelate

[1] *Exch. Rolls*, ix. 696, and x. *passim*. [2] Blackbarony Writs. [3] *Ibid.* [4] *Exch. Rolls*, ix. 696. [5] *Reg. Mag. Sig.*, 16 January 1509. [6] Blackbarony Writs. [7] *Exch. Rolls*, xiii. 383, 488, 571. [8] *Ibid.*, 496, 581. [9] *Ibid.*, xiv. 48. [10] *Ibid.* [11] *Ibid.*, xiv. 516. [12] Blackbarony Writs; *Reg. of Acts and Decreets*, i. 582, 24 November 1543. [13] Blackbarony Writs. [14] *Ibid.* [15] Retours, Berwick [499]. [16] *Laing Charters*, No. 126.

was a Lord of Council and Session in 1467, and died 1486.[1]

6. *Elizabeth Hepburne*, was married to Alexander, Master of Montgomerie.[2] He died in 1452.[3]

7. *Helen Hepburne* was married on 10 July 1446, contract dated 20 February 1445-46, to John Somerville, styled Baron of Carnwath (eldest son and apparent heir of William, second Lord Somerville), who afterwards succeeded as third Lord Somerville. She died *ante* March 1456-57.[4]

8. *Annes Hepburne* is mentioned as sister of Patrick Hepburne, Lord of Halis, in the contract of marriage between Adam his son and Elyne Home dated at Tynynghame 2 February 1448, and now preserved in the Buccleuch charter-chest.[5]

I. Patrick Hepburne (afterwards Sir Patrick, and first Lord Hailes), the eldest son, had a charter dated 29 June 1444, from William Earl of Douglas, of certain lands in the lordship of Dunsyre, co. Lanark, which was confirmed 20 May 1452.[6] Before his father's death he took possession of Dunbar Castle without authority; Joan Beaufort, the Queen-Dowager, resided in the Castle, while he held it, for some time; but after her death, which took place there on 15 July 1445,[7] he evacuated the place.[8] On 25 November 1450, he granted lands in Coldingham and neighbourhood to the monks there, and to this charter a fine seal of arms is attached.[9] On 10 December 1450 he had a charter of the lands of Little Lambertoun, commonly called Sherefbygyn, and of the office of Sheriff of Berwick, which was confirmed on 20 May 1452.[10] On 20 December 1451 he had a Crown charter of the lordship of Halis and other lordships and lands, which his predecessors formerly held in heritage of the Earls of March, who again held them of the Crown in chief; also the lands of Prendergest and others in the sheriffdom of Berwick, with all right in

[1] Keith's *Cat. of Bishops*, 104. [2] Crawfurd's *Peerage*, 128; Fraser's *Memorials of the Montgomeries, Earls of Eglinton*, i. 25. [3] *Ibid.* [4] *Memorie of the Somervilles*, i. 194, 195, 211. [5] Fraser's *Scotts of Buccleuch*, ii. 39. [6] *Reg. Mag. Sig.* [7] *Auchinleck Chronicle*, 7. [8] Raine's *Hist. of North Durham*, App. 22; Buchanan's *Rerum Scot. Hist.*, ed. 1668, p. 378. [9] Raine's *North Durham*, App., No. cccxxix. [10] *Reg. Mag. Sig.*

Edinburgh on 26 June 1493, a general revocation of all grants made during his minority; but the grants to Patrick, Earl of Bothwell, were specially excepted.[1] He was Captain of Dumbarton Castle 1 April 1495.[2] He had charter of confirmation of the lands of Fairnington, co. Roxburgh, on 24 January 1506-7,[3] and charters of many other estates at various dates.[4] He was one of the plenipotentiaries sent to conclude the treaty for the marriage of King James IV. with Princess Margaret of England in October 1501,[5] and he stood proxy for the King at the ceremony of betrothal on 25 January 1501-2.[6] He died on 18 October 1508.[7]

He married first, before 1 February 1480-81,[8] Janet (or Joanna) Douglas, daughter of James, (first) Earl of Morton, by Princess Joan, 'the dumb lady,'[9] daughter of King James I., and by her,[10] who died before 21 February 1490-91, he had issue:—

1. *Jane*, or *Johanna*, otherwise *Jonet* or *Janet*, *Hepburne*, who was married, before December 1506, to George, son and apparent heir of George, (second) Lord Seton, who afterwards succeeded as third Lord Seton.[11] He was killed at the battle of Flodden 9 September 1513.[12] She survived him, and lived many years at the Convent of St. Catherine of Sienna, commonly called 'the Sciennes,' in the Burgh Muir of Edinburgh, which was built principally at her expense.[13] She died after 10 May 1558,[14] and was buried beside her husband in the choir of Seton Church.[15]

He married, secondly, contract dated 21 February 1490-91, Margaret Gordon, daughter of George, Earl of Huntly, who, with Alexander Lord Gordon, his son, was the other party to the contract. The object was the marriage of Earl Bothwell with 'ane of the tua douchters' of the Earl of Huntly, 'Margaret or Katherine, quhilk of thame that

[1] *Acta Parl. Scot.*, ii. 237a. [2] *Acta Dom. Conc.*, 381. [3] *Reg. Mag. Sig.* [4] *Ibid.*, *passim.* [5] Pinkerton, ii. 39. [6] Protocol Book, June 1519—April 1528, in the Council Chambers, Edinburgh, fol. 1. [7] Bannatyne *Miscellany*, iii. 276. [8] *Reg. Mag. Sig.* [9] *Exch. Rolls*, v. preface, lxviii, lxix, and *note ibid.* [10] *Douglas Book*, ii. 43. [11] *Acta Dom. Conc.*, xviii. pt. ii. 30; *History of the Family of Seton*, by George Seton, i. 108, 112. Mr. Seton's numbering of the Lords Seton is incorrect. [12] *Ibid.*, 111; *Acta Dom. Conc.* [13] Maitland's *History of the House of Seytoun*, Maitland Club 1829, 38. [14] Blackbarony Writs; Seton's *Family of Seton*, i. 116. [15] *Ibid.*

sall best ples the said Erle Bothville.'[1] His choice fell upon the Lady Margaret.[2] He was bound by his indenture to contract the bonds of spousage before 20 April 1491, and to complete the marriage in the face of Holy Church 'thaireaftir als hastely as it may be upone law.' He had by her :—

1. ADAM HEPBURNE, who succeeded as second Earl of Bothwell; of him after.
2. *Patrick Hepburne*, who was probably born *circa* 1494. On 27 May 1515 he was designate tutor-lawful and heir of Patrick, Earl of Bothwell, his nephew, and signed his name 'Patrick, Master of Hailes.'[3] Patrick, (third) Earl of Bothwell, was designate his brother's son on 7 July 1542.[4] He is frequently styled 'of Boltoun,' as he held a part of that barony, which his father had also held in ward as part of the forfeited possessions of umquhile Archibald, Lord Haliburtoun,[5] and he had acquired fresh rights to the lands from Alexander, Master of Home.[6] In September 1516 he was acting as Sheriff of Haddingtonshire.[7] On 16 February 1516-17 he is mentioned as Admiral-Depute.[8] In June 1526 he harboured certain rebels in his tower of Boltoun, which was burnt by the force sent by King James V. to take them.[9] On 6 April 1529 he had a remission for treasonable assistance given to the Homes.[10] On 12 September 1541 he was Sheriff of Berwick for the time.[11] He died 31 October 1576. His testament was confirmed 23 October 1577.[12]

   He married first, Dame Nicholas Home, Lady Herries, daughter of Alexander, (second) Lord Home, and Nicholas Ker, and relict of Andrew, (second) Lord Herries;[13] and secondly, Katherine Fleming, who survived him.[14] By his first wife[15] he had issue :—

[1] Original contract at Gordon Castle, Spalding Club *Misc.*, iv. 136. [2] *Acta Dom. Conc.*, xiv. 59. [3] *Twelfth Rep. Hist. MSS. Com.*, Appendix, pt. viii., MSS. of the Earl of Home, 128. [4] *Acts and Decreets*, i. 33. [5] *Acta Dom. Conc.*, 340, 26 June 1594. [6] Mss. of the Earl of Home, *supra cit.*, 149. [7] *Acta Dom. Conc.*, xxviii. 32. [8] *Ibid.*, xxix. 4. [9] *Acta Parl. Scot.*, ii. 307a, 432a. [10] Pitcairn's *Criminal Trials*, Edinburgh, 1833, i. pt. i. 243. [11] *Acta Dom. Conc.*, xvi. 143. [12] Edin. Tests. [13] *Acta Dom. Conc.*, xxvii. 157, 24 January 1515-16, xxxvii. 29; *Laing Charters*, No. 499; *Acts and Decreets*, i. 33, 7 July 1542. [14] Testament, *ut supra*. [15] *Acts and Decreets*, i. 33, 7 July 1542.

(1) *Patrick Hepburne*, of whom after.
(2) *Jean Hepburne*, who was married to John Hay of Talla. Patrick, Earl of Bothwell, on 31 May 1547 granted to her and her husband the non-entry of the lands of Birkinsyde, co. Berwick, and Fairnington, co. Roxburgh, fallen to him by the decease of umquhile Patrick Hepburne, her brother.[1]

She died in the month of February 1575.[2]

Patrick Hepburne was usually styled of Fairnington, but occasionally of Birkinsyde.[3] He was appointed Sheriff of Lothian within the Constabulary of Haddington, and licensed to hold any other office, in August 1531, although not yet of lawful age.[4] He died after 19 December 1541,[5] and before January 1547-48.[6]

He married Agnes Hoppringle, daughter of George Hoppringle of St. John's Chapel, by Elizabeth Ker.[7] By her he had an only daughter,

Marie (or *Marioun*) *Hepburne*, who is also called (in deeds of date posterior to her death) *Margaret* and *Manie*. She was married, contract dated 14 September 1551, being therein designate 'dochter and air to umquhile Patrick Hepburne of Phairnyngtoun, and nece (*i.e.* granddaughter) to Patrick Hepburne of Boltoun,' to James Hamilton of Sprouston and St. John's Chapel, brother to John, Archbishop of St. Andrews.[8] She died in the month of July 1571. Her testament was confirmed 27 February 1575-76.[9]

3. *William Hepburne* of Rollandstoun was designate paternal uncle of Patrick, (third) Earl of Bothwell, on 13 March 1538.[10] He was dead before 25 March 1558.[11] He married Marioun Maxwell, by whom[12] he had:—

(1) *James Hepburne*, his successor, of whom after.
(2) *Janet* (also called *Jayne*) *Hepburne*, who was married to George Hepburne of Pannywell, Barony of Spott, co. Haddington.[13]

James Hepburne, burgess of Perth, first designate of Rol-

[1] *Reg. of Deeds*, xxv. 10, 16 June 1586. Robert, son and heir of Patrick Hepburne of Birkinsyde, and James Hepburne his eldest son and apparent heir, appear in *Acts and Decreets*, cxxxviii. 321, 9 December 1592; but their connection, if any, with this family, does not appear. [2] Edin. Tests., 5 February 1576-77. [3] *Acts and Decreets*, xxvi. 114, 18 March 1562-63. [4] *Reg. Sec. Sig.*, ix. 32. [5] *Acta Dom. Conc. et Sess.*, xvii. 70. [6] *Ibid.*, xxiv. 98, etc. [7] *Acta Dom. Conc. et Sess.*, xxiv. 98, 15 January 1547-48; 115, 6 February 1547-48; 151, 17 March 1547-48; xxvii. 5, 14 September 1551. [8] *Acta Dom. Conc. et Sess.*, xxvii. 5. [9] Edin. Tests. [10] *Reg. Mag. Sig.* [11] Bannatyne *Misc.*, iii. 293. [12] *Reg. Mag. Sig.*, 12 August 1569. [13] Retour of Patrick Hepburne her son, dated 25 May 1596, Sheriff Court Records, Perth;—*Decreets*, Commissariot of Edinburgh, 29 January 1570. Annabella Hepburne, spouse of George Soutar, son to John Soutar, *alias* Johnstoun, in Banchrie (*Reg. Mag. Sig.*, 8 December 1586), may perhaps have been another daughter.

lanstoun, afterwards of Furde (or Foord), and finally of Magdalens in the lordship of Charterhouse, Perthshire, had with his spouse on 12 August 1569 charter of part of the lands of Rollanstoun, co. Berwick, which formerly pertained to Mr. William Hepburne of Rollanstoun and Marioun Maxwell his spouse, father and mother of the said James.[1] He died *s.p.m.* 15 April 1596. His testament was confirmed 20 July 1596.[2] Patrick Hepburne, his sister's son, was served heir to him 25 May 1596.[3]

He married Jonet Oliphant, daughter of John Oliphant, burgess of Perth, son of John, Lord Oliphant,[4] and relict of Andrew Moncrieff, burgess of Perth.[5]

4. *John Hepburne*, Bishop of Brechin. Died 1558. Keith states that this Bishop was descended of the family of Bothwell.[6] In Douglas's *Peerage* he is inserted here, and it is added that he was consecrated in 1517. But several charters in the *Register of the Great Seal*, the *Laing Charters*, and the Southesk Charters cited in the *Registrum Episcopatus Brechinensis*, Bannatyne Club, Aberdeen, 1856, preface, p. xii, give each a different year for that of his consecration. On the whole it seems probable that he became Bishop in 1521 or 1522.

It has been stated that the name of George Hepburne occurs in some records, under date 1510 and 1519, as another son of Patrick, first Earl of Bothwell; but this lacks confirmation.

5. *Margaret Hepburne*, who was married, contract dated 26 June 1509, to Archibald Douglas (son of George, Master of Angus), who afterwards succeeded as sixth Earl of Angus. The contract of marriage is preserved in the Buccleuch charter-chest. John, Prior of St. Andrews, George, Abbot of Aberbrothok, Adam Hepburne of the Craggis, and Mr. George Hepburne, Dean of Dunkeld, were parties on behalf of Adam, Earl of Bothwell, brother of the bride.[7] She died in 1513, it is said, in childbed, leaving no surviving issue.[8]

There is in the Lyon Office a certificate of arms dated 1 May 1779, in which it is stated that Margaret Hepburne, wife of John Murray of Falahill, heredi-

[1] *Reg. Mag. Sig.* [2] Edin. Tests. [3] Sheriff Court Records, Perth. [4] *Ibid.*, 1 August 1573. [5] *Reg. of Deeds*, xv. 217b. [6] *Catalogue*, p. 97. [7] *Scotts of Buccleuch*, ii. 117. [8] *Douglas Book*, ii. 177.

tary Sheriff of Selkirkshire, was daughter of Patrick, first Earl of Bothwell. The lady in question seems to have been previously married to John Cockburn, younger of Ormiston, who died in or before 1512.[1]

III. Adam Hepburne, born *circa* 1492, succeeded as second Earl of Bothwell on 18 October 1508. He was served heir to his father in the lordship of Liddesdale on 7 November following.[2] On 4 May 1509 he petitioned the Lords of Council for the appointment of curators, and accordingly John, Prior of St. Andrews, and Sir Adam Hepburne of Craggis were nominated.[3] On 27 August 1511 he had a Crown charter of grant and confirmation of vast estates in the shires of Edinburgh, Berwick, Roxburgh, Dumfries, Kirkcudbright, and Lanark, and of the offices of Sheriff of Edinburgh, and of Edinburgh within the Constabulary of Haddington, and of Berwick; Bailie of Lauderdale, and Admiral of Scotland; all which had been held by his father.[4] On the day following the King granted the barony and Castle of Crichton and others, on the resignation of Adam, Earl of Bothwell, to Agnes Stewart, (daughter of the deceased James, Earl of Buchan),[5] whom he married, doubtless immediately afterwards. On 14 November 1512 a charter of the same date granted by Adam, Earl of Bothwell, with consent of his curators, was confirmed.[6] He was killed at the battle of Flodden, 9 September 1513, having distinguished himself in command of the reserve during the action.[7]

Agnes Stewart was natural daughter of James, Earl of Buchan, who was second son of Sir James Stewart, the Black Knight of Lorn, by Queen Joan, widow of King James I.,[8] and thus uterine brother of King James II. She had before her marriage borne to King James IV. a daughter named Janet Stewart, who was married (contract *penult* February 1523) to Malcolm (third) Lord Fleming.[9] The spouses had a charter dated 28 October 1527, wherein she is designate sister of the King (*i.e.* of King James V.).[10]

Agnes, Countess of Bothwell, was married, secondly, on

[1] *Vide Exch. Rolls*, xiii. 663. [2] Original Retour quoted in *Scotts of Buccleuch*, ii. 111. [3] *Acta Dom. Conc.*, xx. 182. [4] *Reg. Mag. Sig.* [5] *Ibid.* [6] *Ibid.* [7] Pinkerton, ii. 104-105. [8] *Exch. Rolls*, v. lii. [9] *Analecta Scot.*, 2nd series, ii. 50. [10] *Reg. Mag. Sig.*

3 June 1514, to Alexander (third) Lord Home, Great Chamberlain of Scotland,[1] who was executed for treason on 8 October 1516.[2]

She was married, thirdly, between 4th December 1520[3] and the date of a document preserved in the library of the Society of Antiquaries of Scotland (of which the year 1526 is entered, but not the day or month of execution), to Robert (fourth) Lord Maxwell. The deed is a gift of certain lands to him and Agnes, Countess of Bothwell, his spouse. Lord Maxwell died in the year 1546.[4]

She was married, fourthly, before 13 December 1549, to Cuthbert Ramsay,[5] brother-german to George Ramsay of Dalhousie,[6] who is designate Captain of Crichton,[7] and styled burgess of Edinburgh in the testament of Jonet Fleming his relict spouse, confirmed 3 October 1570.[8]

Agnes Stewart, Countess of Bothwell, bastard, natural daughter of the deceased James, Earl of Buchan, obtained letters of legitimation from Queen Mary on 31 October 1552.[9] She died in the month of February 1557. After her death the Queen, notwithstanding the legitimation, made a gift to James, Earl of Bothwell (the Countess's grandson), of the escheat of her goods moveable and immoveable, by reason of her having been born and died bastard; and Cuthbert Ramsay brought an action against the Earl in consequence.[10] The widower was long at feud with his late wife's son and grandson. Earl Patrick on one occasion seized him when on his way to Stirling to visit Mary of Lorraine the Queen-Dowager, and imprisoned him in Crichton Castle.[11]

Adam, second Earl of Bothwell, had by Agnes Stewart his wife, an only son,

IV. Patrick Hepburne, who was an infant about a year old when he succeeded as third Earl of Bothwell on 9 September 1513. He appears to have been under the

[1] *Laing Charters*, No. 301. [2] Leslie's *Hist. of Scot.* ed. Scot. Text Soc., ii. bk. ix. cap. cv. 165. [3] *Laing Charters*, No. 325. [4] *MS. Inquis. Retorn. Reg.*, H.M. Reg. Ho., i. 167. [5] *Acts and Decreets*, iii. 223. [6] *Ibid.*, xiv. 394. [7] Commission by Agnes, Countess of Bothwell, 12th March 1553, Protocol Book of Thomas Steven, N.P., Haddington, Bannatyne *Misc.* iii. 416. [8] Edin. Tests. [9] *Reg. Mag. Sig.* [10] *Acts and Decreets*, xiv. 282, 8th April 1557, and 395, 27th April 1557. [11] *Ibid.*, xv. 88, 3 June 1557.

tutory of Patrick, Master of Hailes, in May 1515,[1] but on 26 February 1525-26 Patrick Hepburne, Prior of St. Andrews (afterwards Bishop of Moray), was his tutor.[2] He had a charter dated 28 January 1528-29 of the lordship and Castle of Tantallon, in the King's hands by reason of the forfeiture of Archibald, Earl of Angus.[3] Some months afterwards he was committed to ward in the Castle of Edinburgh,[4] where he remained till about the end of the year 1529. On 26 April 1531 he was appointed a Lord of the Articles.[5] In December of that year he entered into treasonable correspondence with Henry VIII., which being discovered he was again imprisoned in Edinburgh Castle; and he was still in confinement in July 1533.[6] In September 1538 King James V. compelled him to resign the lordship of Liddesdale, which, with Hermitage Castle,[7] was annexed to the Crown on 10 December 1540.[8] At the same time the Earl was banished the kingdom.[9] He appears to have returned soon after the death of James V. on 14 December 1542, and on 13 March 1542-43 he began proceedings which resulted in his regaining possession of the lordship of Liddesdale.[10] He seems at this time to have been in the French interest,[11] possibly with a view to furthering his suit for the hand of Mary of Lorraine, the Queen-Dowager, who, he wrote on 1 April 1549, 'promest faithfullie, be hir hand writ, at tua sindre tymis, to tak the said Erle in mariage.'[12] It was doubtless in the hope of this alliance that he procured a divorce from Agnes Sinclair, his spouse, before 16 October 1543; but his expectation was disappointed, and he again intrigued with the English, traitorously corresponded with the Earl of Hertford during the invasion of Scotland in 1544, and was summoned for treason in Parliament in November of that year,[13] but had a remission, with consent of the Estates, on 12 December thereafter.[14] One of the crimes charged against him was the acceptance of great gifts and sums of money from Henry VIII. He may have been the more easily tempted by bribes

[1] Mss. of the Earl of Home, *supra cit.* [2] *Caledonia*, ii. 447, quoting Cottonian MSS., B.M. 'Caligula,' vii. 30. [3] *Reg. Mag. Sig.* [4] Leslie's *History*, vol. ii. Book ix. cap. cv. 219. [5] *Acta Parl. Scot.*, ii. 333. [6] Pinkerton, ii. 312, 321. [7] *Ibid.*, 353. [8] *Acta Parl. Scot.*, ii. 361. [9] Pitscottie, ed. 1814, ii. 358. [10] *Acta Parl. Scot.*, ii. 424*. [11] *State Papers and Letters of Sir Ralph Sadler*, i. 170. [12] Bannatyne *Misc.*, iii. 414. [13] *Acta Parl. Scot.*, ii. 447-449. [14] *Ibid.*, 451.

that he was heavily in debt; the Register of the Great Seal about this time contains charters of apprising of several of his estates granted to his creditors.[1] He again underwent a term of detention as a state prisoner, and was only released after the battle of Pinkie,[2] which took place on 10 September 1547. He was subsequently deprived of his Castle of Hailes, which was committed by Arran, the governor, to the keeping of John, Lord Borthwick, on 28 February 1547-48.[3] After this Earl Patrick renounced his allegiance and adhered to England,[4] and on 3 September 1549, in consideration of his having acknowledged his duty to King Edward VI. as his natural sovereign lord and king, the latter formally took him under his protection.[5] On 23 May 1550 the Queen-Dowager, Governor, and Council once more gave order that he should be prosecuted for treason; but he appears to have been afterwards rehabilitated, as he died at Dumfries in September 1556, 'Lieutenant in the honourable service of the realm.'[6]

He married in 1533 or 1534[7] Agnes Sinclair, who is designate daughter to Dame Margaret, Lady Sinclair.[8] Dame Margaret was the wife of Henry, first Lord Sinclair, and seems to have been daughter of Adam, Master of Hailes. If this parentage is correct it was doubtless by putting forward the near relationship (if no dispensation had been obtained) that Earl Patrick procured the divorce from her which was decreed before 16 October 1543.[9] At the time of or after the divorce, he gave her a charter of the lands of Morham under reversion of 3000 marks.[10] On 8 November 1543 she granted a reversion of the said lands, wherein she styles herself 'dochter to umquhile Margaret, Lady Sinclare.' The lands were to be redeemable on her re-marriage or death.[11] It does not appear

[1] Cf. Bannatyne *Misc.*, iii. 305. [2] Leslie's *History*, ii. bk. x. p. 301;—Somerset's Expedition into Scotland, printed in [Dalyell's] *Fragments of Scottish History*, 81. [3] Keith's *History of the Affairs of Church and State in Scotland*, i. Appendix, 56. [4] Letters, etc., in the Bannatyne *Misc.*, iii. 409 *et seq.* [5] *Ibid.*; *Fœdera*, vol. vi. pt. iii. p. 173. [6] *Acts and Decreets*, lxxix. 204, 22 March 1579-80; *Rem. on the Hist. of Scotland*, by Sir D. Dalrymple, 1773, 173, 175. [7] Bannatyne *Misc.*, iii. 278. [8] *Acts and Decreets*, xv. 84, 3 June 1557. [9] *The Hamilton Papers*, ii. 110. [10] Precept for ch. of confn. of this and two other charters granted by him in her favour seems to be in *Reg. Sec. Sig.* xxvii. 14, 13 March 1553. [11] Charter from the Newhailes Muniments, Bannatyne *Misc.*, iii. 281.

that the lands were ever redeemed, and they seem to have descended to Jane, Mistress of Bothwell.[1] Agnes, Countess of Bothwell, was frequently styled 'the lady of Morham' for the rest of her life.[2] She died in 1572, having made a will on 21 March in that year, which was confirmed on 22 February 1574-75.[3]

Patrick, third Earl of Bothwell, had by her[4] one son and one daughter:—

1. **James Hepburne**, who succeeded as fourth Earl of Bothwell; of him after.
2. *Jane Hepburne* (also called Joanna and Janet), frequently styled Mistress of Bothwell. On 24 July 1556 this lady was handfasted to Robert Lauder, younger of the Bass, in presence of Sir Walter Robertson, vicar of Aberdour.[5] Robert Lauder became bound by contract of marriage, dated 12 August 1556, under penalty of £4000 Scots, to complete the bond of matrimony in face of Holy Church before Michaelmas next thereafter, which, however, he failed to do; an inhibition to the recording of the contract, dated 10, was registered 12 September 1556,[6] and accordingly the Mistress of Bothwell brought an action for the amount of forfeit, which was heard 20 December 1558. She is designate in the record lawful daughter to umquhile Patrick, Earl Bothwell, and James, Earl Bothwell, is styled her brother-german.[7] She was three times married:—

   First, on 28 December 1561,[8] to John Stewart, Commendator of Coldingham, a natural son of King James V.,[9] by Katherine Carmichael, daughter of Sir John Carmichael, captain of Crawford Castle, and afterwards married to Sir John Somerville of Cambusnethan.[10] He was styled by courtesy 'Lord John,' until created Lord Darnley, before 7 February 1562-63.[11] He died in October 1563.[12] Francis Stewart,

[1] *Reg. of Deeds*, vol. xx. pt. ii. 393, 9 March 1581. [2] *E.g.* in *Acta Dom. Conc. et Sess.* xxxviii. 286. [3] Edin. Tests. [4] Precept of Sasine 1 December 1564, in Smeaton Charter-Chest, Bannatyne *Misc.*, iii. 302. [5] *Carte Monialium de North Berwic*, Appendix, 72. [6] *Reg. of Deeds*, i. 440. [7] *Acts and Decreets*, xviii. 376. [8] *Scottish Kings*, by Sir Archibald Dunbar, Bart., 239. [9] *Reg. of Privy Council*, xiv. 272. [10] *Memorie of the Somervilles*, i. 373-386. [11] *Reg. of Deeds*, vol. vi. pt. ii. 12. [12] *Acts and Decreets*, xxxvi. 104.

the eldest son of this marriage, was created Earl of Bothwell by King James VI. in consideration of his extraction on the mother's side. His charter of the *comitatus* was dated 16 June 1581.[1] Jane Hepburne was married

Secondly, between 10 December 1565[2] and 16 January 1566-67, to John Sinclair, Master of Caithness, eldest son of George, (fourth) Earl of Caithness,[3] who died about 1577-78.[4] His widow was married

Thirdly, to Mr. Archibald Douglas, rector of Douglas, one of the Senators of the College of Justice,[5] who was brother to William Douglas of Whittinghame,[6] a cadet of the house of Morton.

Earl Patrick left an only natural daughter, named *Margaret* Hepburne, who was under age at his death in September 1556. He left to her by his latter will, made at Dumfries, the profits of the marriage of Walter Scott, son and heir of umquhile Sir William Scott of Kirkurd, of which he had a gift from Queen Mary.[7] Margaret Hepburne seems to have been married in or before April 1585, to Mr. James Durhame, silversmith to King James VI.,[8] who is elsewhere designate 'of Duntarvy.'[9] He was son of Alexander Durhame, also silversmith to the King,[10] and was Comptroller Depute and Clerk of Expenses in the Royal Household in 1588.[11]

V. JAMES HEPBURNE (afterwards fourth Earl of Bothwell, and created Duke of Orkney) was probably born in or before 1535. He seems to have been of age at his father's death. There is no mention of any dispensation on account of nonage when he had sasine of the earldom of Bothwell, etc., on 9 November 1556.[12] He was undoubtedly of age on 17 March 1557-58, as on that date he entered into a contract without the consent of curators.[13] He is said to have been brought up at Spynie Castle, the residence of his kinsman,

[1] *Reg. Mag. Sig.* [2] *Acts and Decreets*, xxxvi. 104. [3] *Ibid.*, xxxviii. 296. [4] *Orig. Parochiales*, ii. 811; Professor Schiern's *Life of the Earl of Bothwell*, Berry's ed. 1880, App., 408, gives date 1573, but without authority. [5] *Reg. Privy Council*, iii. 371. [6] *Ibid.*, i. 437. [7] *Acts and Decreets*, lxxvi. 42, 1 May 1579, and lxxix. 204, 22 March 1579. [8] *Reg. Sec. Sig.*, liii. 80, 29 November 1585. [9] *Reg. Mag. Sig.*, 15 August 1588. [10] *Exch. Rolls*, xxi. 548. [11] *Ibid.*, 366. [12] *Ibid.*, xviii. 609. [13] *Reg. of Deeds*, ii. 420.

Patrick, Bishop of Moray,[1] perhaps in consequence of his father's divorce, banishment, and frequent imprisonments. The Bishop's notoriously irregular life must have been of bad example to the youth.[2] He succeeded his father in the month of September 1556, and was served heir to him on 3 November following.[3] On 12 November he took the oaths *de fideli administratione* as Hereditary Sheriff of Edinburgh and of Berwick, Bailie of Lauderdale, and Great Admiral of Scotland.[4]

On 25 March 1558 Earl James executed a charter entailing the earldom of Bothwell, his baronies, and his heritable offices, on his well-beloved cousin William Hepburne, brother-german of Patrick Hepburne of Wauchtoun, and the heirs-male of his body, and the following substitutes: 1. *Alexander Hepburne* of Whitsome; 2. *Patrick Hepburne* of Kirklandhill; 3. *James Hepburne*, son and heir of umquhile William Hepburne of Rollanstoun; 4. *Henry Hepburne* of Fortoun; and the heirs-male of their bodies respectively: reserving his own liferent of the same. Sasine to William Hepburne followed on 28 March 1558; and on the same date he executed a charter of reversion of the whole, on payment of a nominal sum by the Earl or his heirs-male.[5] This William was afterwards designate of Gilmerton, and sometimes of Crashaws or Cracho.[6] He married, contract dated 24 January 1561, Margaret Home, daughter of George Home of Broxmouth,[7] and was by her ancestor of the family of Hepburne of Newton of Whitsome.

This is a very incomprehensible transaction. It seems possible that Earl James's object may have been to prefer another to his probable successor James Hepburne (afterwards of Rollanstoun), a peaceful burgess of Perth, with whom he perhaps had small sympathy. But the prescribed line of succession seems entirely arbitrary and capricious; and there is no trace of any attempt to get the charter confirmed by royal authority, without which it would have been of no effect.

At the date of the charter the next heir to the honours

[1] Buchanan's *De Maria Scotorum Regina*, ed. 1571, 54. [2] Knox's *Hist. of the Reformation*, Laing's ed., 1856, i. 41. [3] *Acts and Decreets*, xlii. 56. [4] *Acta Dom. Conc. et Sess.*, xxix. 32. [5] Original doc. from the Newhailes Charter-chest, Bannatyne *Misc.*, iii. 293 *et seq.* [6] Deed in the Elibank Charter-chest. [7] *Reg. of Deeds*, v. 2.

was Patrick Hepburne of Bolton, grand-uncle of the granter, who is passed over altogether, perhaps as being then about 64, and without surviving male issue. Next to him in the line of succession seems to have been James Hepburne, the third substitute, who was eldest son of a grand-uncle of the granter. Alexander Hepburne of Whitsome, the first substitute, was, as shown above, the heir-male of a great-great-great-grand-uncle of the granter, but he may have been next in succession to James Hepburne the third substitute.

On the other hand, William Hepburne the grantee was no relation to Earl James on his father's side so far as is known; but his mother, Helen Hepburne,[1] was daughter of Sir Adam Hepburne of Craggis, great-grand-uncle of the granter. Again, Patrick Hepburne of Kirklandhill, the second substitute, who was son and heir of John Hepburne, first of Kirklandhill (brother of Sir Patrick Hepburne of Waughton, the husband of Helen), and thus first cousin of the grantee,[2] seems to have been no relation whatever of Earl James. But it is possible that consanguinity, corresponding to that alleged in 1510 (*vide supra*) to exist between Patrick Hepburne of Waughton and Helen Hepburne his intended spouse, may have been traceable between the Waughton family and Earl James.

On 26 April 1559 it was alleged, in the course of an action at law, that the Earl of Bothwell was 'quyetlie marreit or handfast' to Jonet Betoun, widow of Sir Walter Scott of Buccleuch; and the Lords admitted the statement.[3] This connection does not seem to have lasted long. In December 1559 Mary of Lorraine, the Queen Regent, gave the Earl command of a body of French auxiliaries,[4] and six months afterwards she sent him on a mission to the Court of France.[5] He travelled thither *viâ* Denmark.[6] While at Copenhagen, he is said to have plighted his troth to Anna Throndssön (daughter of Christopher Throndssön, a Norwegian nobleman, Admiral in the service of Denmark), whom he promised in writing to marry. This lady accompanied him to the Netherlands, where, according to her

[1] *Vide supra; Reg. Mag. Sig.*, 22 February 1527-28; *Reg. of Deeds*, v. 339, contract dated 20 October 1562. [2] Nisbet, *Heraldry*, i. 163; *Reg. Sec. Sig.*, vii. 69. [3] *Acts and Decreets*, xix. 346. [4] *Papers and Letters of Sir Ralph Sadler*, i. 667. [5] Letter from the Earl of Bothwell to the Queen Regent, dated at Crichton, 15 May 1560, H.M. Gen. Reg. Ho. [6] *Cal. of State Papers, Foreign*, 1560-1561, 293.

account, he deserted her, after she had pledged and spent clothes, valuables, and other property for the use of his people.[1] She was afterwards in Scotland, and on 17 February 1562-63 had a permit to reside in or quit the kingdom at her pleasure.[2] She was alive in 1607.[3] While in France in 1560 the Earl was made *gentilhomme de la chambre* to King Francis II. He returned to Scotland when Queen Mary finally left France in August 1561. In the spring of 1562 he was accused of participation in a treasonable conspiracy, and was immured in Edinburgh Castle, but escaped from custody on 28 August. He took ship some months later for France, where he received an appointment in the Scottish Guard. On venturing back to Scotland after an absence of two years, he was again summoned to stand his trial, and once more took refuge in France, where he remained until recalled by the Queen after the banishment of her half-brother James, Earl of Moray. He landed on 17 September 1565, was restored to his former offices, and married soon afterwards.[4] He was thenceforth in great and increasing favour with Queen Mary. The murder of the King Consort, in which the Earl was the principal actor, took place on 10 February 1566-67, and after a time the Earl of Lennox represented to the Queen that he suspected Earl Bothwell, who accordingly was sent before an assize, charged with the murder, on 12 April 1567; but the trial was collusive. No evidence was adduced; and the jury caused the fact to be entered on the record as the reason for their verdict of acquittal, which it necessarily entailed.[5] On 19 April a former appointment of the Earl as hereditary captain of the Castle of Dunbar, and a grant to him of certain lands, were confirmed in Parliament,[6] and on the evening of that day the project for his marriage to the Queen was first publicly mooted.[7] On 24 April he carried her off to Dunbar.[8] His legal separation from his wife quickly followed. On 12 May the Earl of Bothwell was created DUKE OF ORKNEY,[9] and his marriage

[1] Schiern's *Life*, 55-56; *Les Affaires du Comte de Boduel*, Bannatyne Club, 1829, App. p. xxxix. [2] *P. C. Reg.*, xiv. 211-212. [3] Schiern's *Life*, 323 *n.* [4] *Ibid.*, 20, 24, 30, 32, 34-38, 49, 50, 59. [5] Hill Burton's *Hist. of Scotland*, ed. 1873, iv. 211. [6] *Acta Parl. Scot.*, ii. 550. [7] Schiern's *Life*, 230. [8] Birrell's *Diary*, 8, 9. [9] *Diurnal of Occurrents*, 111. The diarist gives the ducal title as 'Orkney and Shetland.' Douglas states (*Peerage*, [illegible] the title of Marquis of Fife was conferred at the same time; [illegible] authority.

to the Queen took place on May 15.[1] But a hostile confederation of nobles had been formed against which he could not make head; and after having, according to Du Croc the French Ambassador, displayed at Carbery Hill the qualities of a great captain in his preparations for the conflict he expected,[2] he there parted for ever from his bride on 15 June 1567. Shortly afterwards he found his way to Shetland, and setting sail thence was driven by a storm on to the coast of Norway, where he was arrested, and detained as a state prisoner. He remained in confinement until his death, which took place on 14 April 1578 at Dragsholm Castle in Zealand.[3] On 20 December 1567 he was forfeited by the Scottish Parliament, and condemned to lose arms, honours, offices and dignities, and to underlie the pain of treason.[4]

He married, contract dated 9 February 1565-66, the Lady Jane Gordon, daughter of the then deceased George, (fourth) Earl of Huntly, and sister of George, (fifth) Earl of Huntly. The latter, with Dame Elizabeth Keith, Countess of Huntly, his mother, was a party to the contract, which was passed with advice and express counsel of Queen Mary.[5] The parties were related to each other within the degrees of consanguinity prohibited by the canon law, Earl James being fourth in descent from George, second Earl of Huntly, through Lady Margaret Gordon, wife of Patrick, first Earl of Bothwell (*vide supra*), while the bride was fourth in descent from the same Earl George in the male line, and also through her mother.[6] Accordingly a dispensation for the marriage notwithstanding this impediment was granted by John, Archbishop of St. Andrews, dated 17 February 1565-66.[7] The marriage took place on 24 February 1565-66.[8]

On 26 April 1567, a week after the Earl of Bothwell's project of marrying the Queen had been made public, and two days after he carried her off to Dunbar, a suit was begun in the Commissariot Court of Edinburgh, at the

[1] Schiern's *Life*, 255. [2] Schiern, citing Teulet, 279. [3] *Ibid.*, 287, 380, 385. [4] *Acta Parl. Scot.*, iii. 5-10. [5] *Reg. of Deeds*, viii. 232, 12 February 1565-66. [6] Original document, dated 21 February 1565-66, at Hamilton Palace, printed in Tytler's *Enquiry into the Evidence against Mary Queen of Scots*, 4th ed., ii. App. No. iv. [7] Original at Dunrobin, printed with *facsimile* in Fraser's *Sutherland Book*, iii. 131; *vide* also *A lost chapter in the Hist. of Mary Queen of Scots recovered*, by John Stuart, LL.D., Edinburgh, 1874, p. 5. [8] Canongate Marriage Reg.

instance of Lady Jane Gordon, his spouse, for the dissolution of their marriage, on the ground of his adultery with one of her maidservants; and proof having been led, the Court pronounced sentence of divorce on 3 May.[1]

On 27 April a suit was instituted on the part of the Earl before the Court of the Archbishop of St. Andrews for a declaration of nullity of marriage; the dispensation which legalised the union was withheld; and on 7 May sentence was given that the marriage was and had been null from the beginning in respect of the contingence in blood of the parties, 'which hindered their lawful marriage without a dispensation obtained of befoir.'[2] Lady Jane Gordon was married

Secondly, at Strathbogie, on 13 December 1573, to Alexander, (eleventh) Earl of Sutherland, who died on 6 December 1594.[3] The widow was married

Thirdly, contract dated at Elgin 10 December 1599, to Alexander Ogilvie of Boyne,[4] who did not survive the marriage many years.[5] She died at Dunrobin 14 May 1629 in her eighty-fourth year, and was buried in the Cathedral Church of Dornoch.[6]

It has been alleged that a lady, who had apparently gone through some form of marriage with Earl James, and had, like Anna Throndssön, been deserted by him, was living in France in 1567.[7]

The newly-created Duke of Orkney married, secondly, at Holyrood on 15 May 1567, as her third husband, MARY QUEEN OF SCOTS. The ceremony was performed by Adam Bothwell, the Protestant Bishop of Orkney.[8] The contract of marriage was signed and registered on the previous day.[9] This union was only dissolved by the death of the forfeited Duke; but on 21 October 1568 the Queen expressed her willingness 'that the lawis be usit' for obtaining a separation;[10] and in May 1569 she executed a mandate for the

[1] Abstract of Process in Nau's *Hist. of Mary Stuart*, by Claude Nau, clxiii.; *Cal. of State Papers, Foreign*, 1566-1568, No. 1173. [2] Robertson's *Hist. of Scotland*, 1821, iii. App. No. xx. 318. [3] Gordon's *Genealogical Hist. of the Earldom of Sutherland*, 168, 233. [4] Gordonston Writs cited by Stuart, *A lost chapter*, etc., 54. [5] *Genealogical Hist.*, etc., 168. [6] *Ibid.*, 409. [7] *Misc.* of Scot. Hist. Society, ii.169. [8] Schiern's *Life*, 255-256. [9] *Reg. of Deeds*, ix. 86. [10] Articles and Instructions to John, Bishop of Ross, and others, printed in *An Examination of the Letters said to be written by Mary Queen of Scots to James, Earl of Bothwell*, by Walter Goodall, Edinburgh, 1754, ii. App. 360.

bringing of an action against him in her name for divorce.[1] He, on his part, signed a similar mandate in the same year.[2] In each of these documents the name of the mandatory is left blank.

James, Duke of Orkney, had no legitimate issue born to him. On 18 July 1567 Sir Nicholas Throckmorton reported to Queen Elizabeth that he had received a message from Queen Mary, then detained at Lochleven, to the effect that she believed herself to be seven weeks gone with child;[3] and Queen Mary's secretary testifies that she miscarried of twins before 25 July.[4]

The Duke left one natural son, named *William Hepburne.* Agnes Sinclair, Countess of Bothwell, was on 26 December 1571 bound over to have no communication with this William, her illegitimate grandson, 'nor nane others of the King's rebels.'[5] She left to him, by will dated 21 March 1572, the whole balance of her estate after the payment of her debts.[6]

Creation.—Earl of Bothwell 17 October 1488; Duke of Orkney 12 May 1567.

Arms.—These are given by Nisbet as Quarterly, 1st and 4th, Or, a bend azure, for *Vaus of Dirleton*; 2nd and 3rd, Gules, on a chevron argent two lions pulling at a rose of the first, for *Hepburn.* The Duke of Orkney bore:—1st, *Hepburn* as above; 2nd, Azure, a ship or, sails furled argent, within a double tressure flory counterflory of the second, for *Orkney*; 3rd, Ermine, three chevronels gules, for *Lord Soulis*; 4th, *Vaus* as above.

Crest.—A horse's head and neck, bridled.

Supporters.—Two lions guardant.

[R. E. B.]

[1] Boyd Papers, Abbotsford Club *Misc.*, i. 23, 24. [2] Inventory of Boyd Writs, 1761, copied in vol. i. of the Genealogical Series of the *MS. Collections of George Chalmers* in the Advocates' Library, 19. [3] Addl. MSS. B.M., No. 4126, 90, original in the State Paper Office; an abstract in *Cal. of State Papers, Scottish*, i. 252. [4] Nau's *Hist. of Mary Stuart*, 60, 61. [5] *P. C. Reg.*, ii. 105. [6] Test., *ut supra.*

STEWART, EARL OF BOTHWELL

LORD JOHN STEWART, Prior of Coldingham, natural son of King James v. by Catherine, daughter of Sir John Carmichael, Captain of Crawford[1] (who afterwards married Sir John Somerville of Cambusnethan), was born about 1532, and was made Commendator of the Priory of Coldingham 1541. He obtained letters of legitimation under the Great Seal 7 February 1550-51,[2] and in 1560 joined the ranks of the Reformers. He married, at Crichton Castle, 4 January 1561-62, Jean Hepburn, daughter of Patrick, third Earl of Bothwell, and ultimately heiress of her brother James Hepburn, Earl of Bothwell, Duke of Orkney, the third husband of Mary Queen of Scots. Shortly after his marriage he obtained a grant of part of the forfeited estates of Matthew, Earl of Lennox, and the title of LORD DARNLEY.[3] As 'Dominus Dernlie' he obtained a grant of the lands of Ordinhuiffis, etc., 22 June 1563.[4] He died at Inverness about October or November 1563. His tour, according to Godscroft, was 'to avoid the importunities of his wife, who wished him to assist Alexander Home of Manderston in robbing David Home of Wedderburn of the teinds of Kelloe. She attempted it herself at

[1] Fraser, *The Lennox*, i. 419. [2] *Reg. Mag. Sig.* [3] *The Lennox*, i. 420. [4] *Reg. Mag. Sig.*

the head of her men, but was repulsed.[1] He is by the same writer described as 'a man of mild disposition, who cultivated the greatest familiarity with all the nobles of the country, particularly with Home of Wedderburn.[2] His wife, Jean Hepburn,[3] had been contracted, 24 July 1556, to Robert Lauder, younger of the Bass, but the contract was annulled.[4] She married, secondly, John, Master of Caithness, eldest son of George, fourth Earl of Caithness, who died in 1573; and thirdly, Mr. Archibald Douglas, Rector of Douglas, one of the Senators of the College of Justice, brother of William Douglas of Whittinghame,[5] who was outlawed in 1581, when she, as Mistress of Caithness, Lady Morham, gets a ratification.[6] He left issue, a son, by her:—

1. FRANCIS, his heir.

He had also another son and a daughter.

2. *Hercules Stewart*, of Whitelaw, sometimes called 'frater' of Francis, Earl of Bothwell, but 26 February 1593-94 expressly called 'brother natural.'[7] He supported his brother, but was captured with another by 'Mr. John Colville and William Hume, who promised them their lives,'[8] and hanged, in spite of much popular sympathy, at the Market Place of Edinburgh, 18 February 1594-95.[9] He married Mary, youngest daughter and co-heiress of Patrick Whitelaw of that Ilk (who was divorced in 1592, and married, secondly, William Home, the King's stabler) and had issue a daughter:—

Margaret (restored 1633), served heir to her father 13 April 1636, married, 10 March 1619, in Ireland, to John Hamilton, son natural of Allan Hamilton of Ferguslie.[10]

A son John Stewart, son of the late Hercules Stewart sometime of Quhytlaw, is mentioned in 1622 in a dispute about teinds with William Craw of Falabank.[11]

3. *Margaret Stewart*, called 'daughter to the Abbot of Coldingham and brother-daughter to Robert, Earl of Orkney,'[12] married, first, before 1579, to William Sinclair

[1] Godscroft, MS. History of the Homes. [2] *Ibid.* [3] Bannatyne *Miscellany*, iii. 279. [4] *Reg. of Deeds*, i. 440*b*. [5] *P. C. Reg.*, i. 437; iii. 371. [6] *Acta Parl. Scot.*, iii. 268. [7] *P. C. Reg.*, v. 132. [8] Letter, John Carey to Burghley; *Cal. Border Papers*, ii. 17. [9] Birrell's *Diary*. [10] General Retours, No. 2217; *P. C. Reg.*, xi. 640; xii. 761. [11] *P. C. Reg.*, xii. 680, 701. [12] Information for James Sinclair of Scalloway, MS. Sheriff Clerk's Office, Lerwick.

of Underhoull, son of Olave Sinclair of Brew, in Shetland; secondly, William Bruce, first of Symbister. Her testament is recorded at Edinburgh 14 September 1608.[1]

FRANCIS STEWART, Earl of Bothwell, only son and heir, born 1563.[2] He was godson of Queen Mary, who named him after Francis II. of France, her first husband.[3] Queen Mary writes to Pope Pius V. recommending him for the then vacant Abbacy of Kelso, calling him 'noster ex fratre nepos' on 15 May 1567, the day of her marriage to his uncle Bothwell.[4] He obtained from Queen Mary charters of the Enzie, etc., March 1563-64, but on the forfeiture of Matthew, Earl of Lennox, having been reversed, Queen Mary in December 1564 made a grant to Francis, Lord Darnley, in liferent, and his mother in fee, of the lordship of Badenoch,[5] and Fraser states that he ceased now to be Lord Darnley, and the title of Lord Badenoch was conferred upon him by Queen Mary.[6] When in 1566 the lordship of Badenoch was restored to the Earl of Huntly, Queen Mary granted to Francis Stewart the Commendatorship of Culross and a portion of the Earl of Morton's forfeited rents of Aberdour and Dalkeith.[7] By her will, dated at Sheffield 7 February 1577-78, Queen Mary begged her son to bestow the Bothwell estates upon her nephew Francis Stuart,[8] and as Commendator of Kelso, under the Great Seal 16 June 1581, he received from his cousin King James VI. a grant of the lordship of Bothwell, to himself and his heirs-male, of new to be incorporated *in liberum comitatum et baroniam de Boithuill*, after which he is always styled EARL OF BOTHWELL.[9] He was in 1586 one of the commissioners to treat with England, and in 1589,[10] with the Duke of Lennox, Joint Governor of the realm. He fell into disfavour, was accused of witchcraft, and imprisoned 15 April 1591, escaped on the 21 June, and on the 25 was forfeited.[11] He attempted, on 27 December 1591, to seize the King at Holyrood House, and was attainted by Act of Parliament

[1] Edin. Tests. [2] *Estimate of the Scottish Nobility*, 53, 62. [3] Fraser, *The Lennox*, i. 421. [4] *P. C. Reg.*, 272-273. [5] *Cit. Reg. Mag. Sig.* ii.; *The Lennox*, i. 421. [6] *Cit. Reg. Secreti Sig.*, vol. xxxii. fol. 71-73, 121-130. [7] *The Lennox*, i. 421. [8] Labanoff, tom. iv. 361. [9] *Reg. Mag. Sig.* [10] *P. C. Reg.*, iv. 425. [11] *Ibid.*, 609, 610, 643-645.

21 July 1593,[1] 'and his armes reivin at Croce of Edinburgh be the heraldis.'[2] He made another attempt to seize the King at Falkland on the 17th, and on 24 July 1593 forced himself into the Royal presence and obtained a promise of all he demanded, which promise the nobles in convocation at Stirling absolved the King from keeping.[3] He again appeared with five hundred horse on 3 April 1594,[4] after which he fled to England, and then to Orkney and Caithness. At last, in April 1595, 'not knowing whom to trust, he stole away privately to France,' where the King suffered him 'to enjoy the free ayre of his country.' By challenging a gentleman to a duel against the King's edict, it is said he was forced to flee to Spain. Later, he went to Naples,[5] where he lived in poverty, supporting himself by feats of arms, fortune-telling, and necromancy.[6] He died in 1612 at Naples in a poor estate 'some years after the King his going into England.'[7]

His honours were forfeited, and his estates divided between his stepson Scott of Buccleuch, Kerr of Cessford, and Lord Hume. The forfeiture was continued against his children by Act of Parliament 1600.[8]

He married, before 1 July 1592, Margaret Douglas, daughter of David, seventh Earl of Angus, relict of Sir Walter Scott of Buccleuch. On the fall of her husband she interceded for him on her knees before the King at the gate of Edinburgh Castle on 17 November 1592. Three days later a proclamation forbade any one to receive her.[9] She was received into favour by the King in Glasgow, but on 3 December she was banished again until six days after she 'purchast ane letter of paice.'[10] She died in 1640, at a great age, and was buried at Eckford.[11] They had issue:—

1. FRANCIS, eldest son.
2. *John Stewart*, Commendator of Coldingham. In 1606 he was warded in Edinburgh Castle on account of a dispute with William Keith of Luidquhairne.[12] He married Margaret Home,[13] and had issue:—

[1] *Acta Parl. Scot.*, iv. 8-11. [2] Birrell's *Diary*. [3] Calderwood, *History*, v. 256-261. [4] *Ibid.*, 296-297. [5] *P. C. Reg.*, v. 209 *n*. [6] *The Lennox*, i. 422; cf. also *George Sandy's Journey*, 1610. [7] *P. C. Reg.*, v. 209 *n*. [8] *Acta Parl. Scot.*, iv. 229. [9] *P. C. Reg.*, v. 23, 24 *n*. [10] Birrell's *Diary*; Balfour's *Annals*, i. 398. [11] *Scotts of Buccleuch*, i. 161. [12] *P. C. Reg.*, vii. 178, 179. [13] *Reg. Mag. Sig.*, 1642, No. 1240.

(1) *Francis Stewart.* He intromitted with the teinds of Coldingham 1630.[1] On 10 June 1638, the town of Coldingham was of new erected into a burgh of barony in his favour, as he had a wadset over the lordship.[2] He is said to have been 'a private gentleman in the Horse Guards, who commanded cavalry at Bothwell Brig 1679.'[3]

(2) *Margaret*, married to Sir John Home of Renton.

3. *Harie*, 1612,[4] alive in 1627, when he consents to a lease.[5]
4. *Frederick*, 1612.[6]
5. *Elizabeth*, an English newsletter writes of her birth in 1590: 'E. Bothwill makes show of being at the Queen's devotion, and has asked her to be godmother to his daughter.' She was married to James Cranstoun, second son of William, first Lord Cranstoun.[7]
6. *Margaret*, was married to Alan, fifth Lord Cathcart.
7. *Helen*, was married to John Macfarlane of that Ilk.[8]
8. *Jean* (called third daughter), was married, c. 1612-22, as second wife, to Robert Elliot of Redheugh. Her husband was imprisoned for his attempted murder of Buccleuch, and she was left in great distress. The Lords of the Secret Council, 'commiserating the estate of the young gentlewoman,' made her an allowance for the support of herself and her husband, 30 November 1624.[9]

III. Francis Stewart, eldest son of Francis, Earl of Bothwell, born 1584.[10] After his father's death, in spite of the attainder, he is occasionally styled 'Earl of Bothwell' and Lord Stewart and Bothwell. He on his marriage obtained a rehabilitation under the Great Seal, dated Whitehall 30 July 1614, but reserving the rights of those who had been granted his father's forfeited lands.[11] This rehabilitation was ratified by Parliament 1633.[12] In 1630 he was 'absent from the country.' He obtained recovery by decreet arbitral

[1] *P. C. Reg.*, 2nd ser., iii. 482. [2] *Reg. Mag. Sig.* [3] Ms. History; Swift's Works, xiv. 297. He is supposed to have been the prototype of Francis Bothwell, the dashing cavalier in *Old Mortality*. [4] *P. C. Reg.*, ix. 498. [5] *Laing Charters*, No. 1990. [6] *P. C. Reg.*, ix. 498. [7] *Cal. of State Papers, Domestic*, 643. [8] Douglas gives the marriages of these daughters in this order. [9] *The Border Elliots*, by the Hon. G. F. S. Elliot, 230-232, quoting tombstone of her daughter Mrs. Clark in the chapel yard, Inverness; *P. C. Reg.*, xiii. 651. [10] *Estimate of Scottish Nobility*, 54. [11] *Reg. Mag. Sig.* [12] *Acta Parl. Scot.*, v. 55.

of Charles I. of part of the family estates, which he sold to the Winton family. He lived in straitened circumstances, in 1637 petitioning King Charles I. to be made Printer to the King in Ireland for fifty-one years.[1] He died in 1639, and his testament-dative was given in by his creditors at Edinburgh 21 April 1640.[2] He married, about 1614, Isobel Setoun, widow of James, first Earl of Perth, daughter of Robert, first Earl of Winton. It is likely also that he married again. Issue:—

1. CHARLES, eldest son.
2. *Robert.*
3. *Margaret*, baptized at Tranent 1 April 1619.[3]
4. *Elizabeth*, baptized at Inveresk 20 August 1632[4] as 'daughter of Francis, Lord Stewart and Bothwill.' A little-known MS. note says she 'dyed at Wintoun unmarried, and so ended this family.'[5]

IV. CHARLES STEWART, eldest son of the last Francis Stewart, baptized at Tranent 7 February 1618,[6] heir to his father 20 April 1647. He became a trooper in the Civil War, and, according to a MS. history he 'dyed in England after Worcester,' apparently unmarried.[7]

CREATION.—16 June 1581.

ARMS.—There are five seals of Francis, Earl of Bothwell, known to exist. The first bears a lion rampant within a royal tressure debruised by a ribbon. The second and third bear quarterly, 1st and 4th, a bend; 2nd and 3rd, on a chevron two lions pulling at a rose. The fourth is similar, but has *surtout* a lion rampant contourné within a royal tressure; the third and fourth have an anchor behind the shield. The fifth is similar to the third and fourth, but has *surtout* a lion rampant within a bordure compony.[8]

[A. F. S.]

[1] *Calendar of State Papers, Ireland*, 1633-47. [2] Edin. Tests. [3] Parish Register. [4] *Ibid.* [5] Edin. Univ. Lib. [6] Parish Register. [7] Edin. Univ. Lib. [8] Macdonald's *Scot. Armorial Seals*, Nos. 2607-2611.

CAMPBELL, EARL AND MARQUESS OF BREADALBANE

SIR COLIN CAMPBELL, the first of the House of Glenurchy, was eldest son of the second marriage of Duncan, first Lord Campbell of Lochaw.[1] He is generally stated to have been the son of his father's first wife Marjory or Marcellina, daughter of Robert, Duke of Albany, Guardian, and afterwards Regent, of Scotland;[2] but he is called 'brother-german' of Duncan and Archibald, sons of Duncan, Lord Campbell of Lochaw, who were by his second wife, Margaret, daughter of Sir John Stewart of Ardgowan.[3] By charter dated 20 October 1432 his father conferred upon Sir Colin the lands of Glenurchy and others.[4] He is stated to have gone thrice to Rome, and to have been one of the Knights of Rhodes.[5] Sir Colin, on the death of his father in 1453,

[1] See vol. i. of this work, 331. [2] *Exch. Rolls*, iv. p. clxxxvii. The *Black Book of Taymouth*, p. 9, calls her 'Margaret Stewart, dochtir to Duke Murdoch,' and Sir William Fraser, in *The Lennox*, p. li, describes 'Marjory' daughter to Murdoch Duke of Albany by his marriage in 1391-92 as wife of 'Duncan Campbell of Lochaw and Argyle, afterwards Lord Campbell.' [3] *Reg. Mag. Sig.*, 17 April 1469; *Historical Account of the surname of Stewart*, by Duncan Stewart, 110. According also to the Great Roll Pedigree at Inveraray, Colin was a son of the second marriage. [4] *Origines Parochiales Scotiæ*, vol. ii. pt. i. 126, 136. [5] *Black Book of Taymouth*, 13.

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predeceased by his own elder brother, Archibald, became, according to the *Black Book of Taymouth*, p. 13, tutor to his nephew, Colin, who in 1457 was created Earl of Argyll, but from a comparison of dates there appears good reason to suppose that at the death of Duncan, Lord Campbell, his grandson was of age. Sir Colin had a charter of the lands of Auchirvach (Auchreoch) in Glendochart to himself and Margaret Stirling his wife, 27 October 1467.[1] He is stated to have built Caolchurn Castle in Glenurchy.[2] For his services in apprehending one or more of the murderers of King James I., the grandson of that monarch, King James III., on 17 December 1473, granted the barony of Lawers to him, Margaret Stirling his wife, and his heirs-male by her.[3] He appears to have died in 1475, and to have been buried in Kilmartin on the 26 September in that year.[4]

Fanciful and often grotesque portraits of Sir Colin, first of Glenurchy, his father Duncan, Lord Campbell of Lochaw, his nephew Archibald, first Earl of Argyll, and of the second, third, fourth, fifth, sixth, seventh, and eighth Lairds of Glenurchy are given in the *Black Book of Taymouth*, and portraits of them also appear in the Genealogical Tree at Taymouth Castle painted in 1635 by George Jamesone.

Sir Colin married several times, but authorities vary so much that it is not easy definitely to state how often, in what order, or when the respective wives died, and by which of them he had issue. According to Nisbet,[5] Sir Colin Campbell's first wife was Mary, one of the daughters

[1] *Reg. Mag. Sig.* [2] *Black Book of Taymouth*, 13. [3] *Reg. Mag. Sig.*, 16 June 1525. [4] The Dean of Lismore's Chronicle appended to *Historical Notices of the Clan Gregor*, by Donald Gregory, 41, and Chronicle of Fortingall in *Black Book of Taymouth*, 113. According to the *Black Book of Taymouth*, pp. 12 and 14, however, he was laird for forty-eight years, and died in the Tower of Strathfillan on 24 September 1480; but this is evidently an error, for on 10 June 1478 the Lords Auditors (*Acta Auditorum*, 64) gave a decree in a civil suit against 'Duncan Campbell, son and heir of umquhile Sir Colin Campbell of Glenurquha, knicht,' and Sir Colin is stated to be deceased in 1476; *Exchequer Rolls*, viii. 338. Douglas's *Peerage*, 1813 edition, *voce* Breadalbane, also appears to be in error in stating that Sir Colin was interred in the chapel of the Blessed Virgin at Finlarig, as that property was not acquired by the family until 1506, and the *Black Book of Taymouth* mentions, p. 17, that the chapel of Finlarig was built by Sir Colin's grandson 'to be ane buriall for himself and his posteritie.' [5] *Heraldry*, ed. 1816, App. 212.

of Duncan, Earl of Lennox, and he gives as his authority a contract of marriage said to be still extant in the archives of the Breadalbane family. There appears to be a mistake in the lady's name and designation, as Duncan, the last Earl of Lennox, executed 1425, had three daughters, his co-heirs, who were all married in 1392, several years before the birth of Sir Colin Campbell, and no daughter of Duncan, Earl of Lennox, called Mary appears on record. The *Black Book of Taymouth* states (p. 10) that Sir Colin married as his first wife 'Mariott Stewart, dochtir to Walter Stewart off Albanie (sone to Isobell, Duches off Albanie and Countess of Lennox).'

Whether Sir Colin ever was married to this lady, whoever she was, is not without doubt, but he certainly married, probably about the year 1448, Jonet, second of the three daughters and co-heiresses of John, Lord Lorn.[1] In March 1449 John Stewart, lord of Lorne, granted to Sir Colin certain lands in the lordship of Lorn, on account of the marriage of Sir Colin Campbell of Glenurquhay and his daughter Jonet Stewart.[2] By her he appears to have been the father of:—

1. Sir Duncan.
2. *Patrick*, who was probably a son of the same mother, as he was called to succeed to certain lands in Glenlyon as a substitute after Sir Duncan and his son, Archibald, and the heirs-male of his body, before John, evidently the son of Margaret Stirling, in a charter from King James IV. dated 7 September 1502.[3] He died probably without issue, as no further mention of him is known.

According to the *Black Book of Taymouth* (pp. 10 and 11) Sir Colin got by this marriage 'in name of tochirgude, the auchtene markland of the Bray of Lorne, hir father being then alive. Bot eftir hir said father his deceis, the haill lordship of Lorne falling to his thre dochteris, heretrices thairoff, the said Sir Colene be vertew of his wyff, eldest of the three, fell to the haill superioritie of the Lordschip of Lorne and first third thairoff.' This is a mistake, and it

[1] The *Black Book of Taymouth* calls her 'Jonett,' eldest daughter to 'William Stewart, lord of Lorne.' [2] *Origines Parochiales Scotiæ*, ii. 155.
[3] *Reg. Mag. Sig.*

is a common idea that the Campbells of Glenurchy got Lorn by the marriages of Sir Colin and his nephew Colin, Earl of Argyll. The facts are:—On 20 June 1452, and during the lifetime of John, Lord Lorn, upon his resignation, King James II. granted the lordship of Lorn, the barony of Innermeath, and the barony of Redcastle to the said John and the lawful heirs-male of his body, whom failing, to his brother Walter and the lawful heirs-male of his body, and a further series of heirs.[1] At the same time the King granted the barony of Innermeath and various other lands to the said John and his heirs.[2] After the death of John on 20 December 1463,[3] the Earl of Argyll, preferring the lands of Lorn to the other lands which legally belonged to John's three daughters, entered into a contract, dated 30 November 1469, with Walter, John's heir-male, agreeing to exchange Innermeath and the various other lands to which John's daughters had succeeded, for Lorn.[4] Walter Stewart resigned the lands of the lordship of Lorn into the hands of King James III. 14 April 1470,[5] and three days later the King granted them to Colin, Earl of Argyll, and the lawful heirs-male of his body, whom failing, to Sir Colin Campbell of Glenurquhay and the lawful heirs-male of his body, and a further series of heirs.[6] Walter received in exchange the title of Innermeath and certain of the other lands which had belonged to the deceased John, Lord Lorn.[7]

Sir Colin Campbell married, secondly, a lady said to have been Margaret or Marie, daughter of Robert Robertson of Strowan, but the *Black Book of Taymouth*, p. 11, simply calls her 'ane woman off the Clandonoquhy.' By her he had

3. *John*, bishop of the Isles, died 15 July 1510.[8] Nisbet says he died in 1509.[9] And
4. *Margaret*, married, first, as his third wife, to Archibald Napier of Merchiston, and secondly, to John Dickson, Ross Herald.[10]

[1] *Reg. Mag. Sig.* [2] *Ibid.* [3] *Comp. Peerage*, viii. 451. [4] *Fourth Rep. Hist. MSS. Com.*, App. 474. [5] *Ibid.* [6] *Reg. Mag. Sig.*, 17 April 1470. [7] *Fourth Rep. Hist. MSS. Com.*, App. 474. [8] The Chronicle of Fortingall, 115. [9] *Heraldry*, ii. App., 212; Keith, *Catalogue of Bishops*, says 1509, and that his successor was appointed in 1510. [10] Napier Writs quoted by Douglas, ed. 1813, ii. 286. The *Black Book of Taymouth* omits all reference to this Margaret, but states, p. 11, that Sir Colin by this wife had a daughter 'callit Katherine Campbell, quha wes merit on Waltir Stewart, bailzie of Balquhidder.'

Sir Colin married thirdly, before 27 October 1467,[1] Margaret, daughter of Luke Stirling of Keir, and had issue:—

5. *John Campbell*, who, as 'of Lawers,' is called as one of the substitutes in a charter dated 11 May 1497.[2] He is probably the substitute of this name called to the succession of Glenlyon after Sir Duncan and his brother Patrick.[3] He married, first, Agnes Moncrieff,[4] with issue. Secondly, Christian Ogilvie (*see* page 142), apparently without issue. He was killed at Flodden, 9 September 1513.[5] From him are descended the Campbells of Lawers, Loudoun, Murthly, Aberuchill, etc. She married, secondly, Patrick Hepburne of Beinstoun, and was dead before 27 July 1554, when Mr. John Hepburne of Beinstoun was her son and heir.[6]
6. *George Campbell*, 'quha deit young.'[7]
7. *Mariot*, married to William Stewart of Baldoran before 5 October 1498.[8]
8. *Helen*, married to —— MacEane of Ardnamurroch (Ardnamurchan), and secondly, to John MacEwin McAlaster McGregor, 'principall of the Clandoulcheir,' with issue.[9]

Sir Duncan Campbell of Glenurchy, the eldest son, is next in succession to Colin, Earl of Argyll, and the heirs-male of his body, in the grant by King James III. of the lands of Knapdale, on 26 February 1480-81.[10] He also occupies the same position in regard to the church-lands of Dollar, which were granted to Archibald, Earl of Argyll, on 31 January 1493, and confirmed by King James IV. on 11 May 1497,[11] and also with respect to the lands of Skipnish and others on 12 September 1502.[12] In 1483 he had a remission for taking part in the raid of Lauder.[13] He obtained from King James IV., during the minority of that monarch, charters of the lands of the Port of Lochtay, 5 March 1491-92,[14] and 4 July 1498.[15] He had the office of

[1] *Reg. Mag. Sig.* [2] *Ibid.* [3] *Ibid.*, 7 September 1502. [4] *The Genealogist*, v. 132. [5] Dean of Lismore's Chronicle, 44; and the Chronicle of Fortingall, 111. [6] *Acts and Decreets*, viii. 565b. [7] *Black Book of Taymouth*, 11. [8] *Reg. Mag. Sig.*, 24 October 1498. [9] *Black Book of Taymouth*, 12 and 64. Her second husband afterwards became chief of the clan Gregor. At the latter page, when married to her second husband, she is called 'widow and Lady of Lochbuy.' [10] *Reg. Mag. Sig.* [11] *Ibid.*, under latter date. [12] *Ibid.* [13] *Origines Par. Scot.*, ii. 144. [14] *Reg. Mag. Sig.* [15] *Ibid.*

bailiary of the lands of Discher and Toyer, Glenlyon, and the Barony of Glendochart, 3 September 1498,[1] and on 7 September 1502 a charter from the King of the lands of Glenlyon, which were incorporated into a barony, to himself in liferent and his son Archibald, and to Duncan's brothers Patrick and John, and the respective heirs-male of their bodies.[2] In 1504 a summons of treason was raised against him and certain other Highland chiefs; but with what result is not known.[3] He bought from James Muschet of Tolgarth his lands of Finlarig, and had a charter of them, dated 27 February 1506,[4] and from John, Lord Drummond, his lands and barony of Finlarig, of which he had a charter dated 22 April 1503.[5] On 24 May 1508 he had a charter from John Stewart of Ardgowan of the lands of Shian, Balloch, and Acharn, which was confirmed 25 May 1508,[6] and a charter from Sir Robert Menzies of that Ilk, dated 18 September 1511, of the lands of Crannich.[7] On 16 May 1513, having resigned Finlarig, Shian, Balloch, Acharn, Crannich, and others, the King incorporated them into the Barony of Finlarig and granted him a charter of them.[8] He was killed at the battle of Flodden, along with his brother, John Campbell of Lawers, on 9 September 1513.[9]

Sir Duncan Campbell married, first, about 14 October 1479, Margaret, daughter of George Douglas, fourth Earl of Angus.[10] They had issue:—

1. Sir Colin.
2. *Archibald*, who, as already noticed, had the fee of Glenlyon.[11] He married, first, Mariota, daughter of Iver Campbell of Ardtarua, with issue. She died 12 August 1537, and was buried at Finlarig:[12] secondly, Isabel, daughter of John Grant of Culcabok.[13] He died 29 April 1552, and was buried at Dunkeld.[14] From him are descended the Campbells of Glenlyon, Duneaves, Roro, and Knockhill.
3. *Patrick*, who died a young man in the island of

[1] *Reg. Mag. Sig.* [2] *Ibid.* [3] *Acta Parl. Scot.*, ii. 255. [4] Confirmed 12 May 1508, *Reg. Mag. Sig.* [5] Confirmed 26 April 1503, *Ibid.* [6] *Reg. Mag. Sig.* [7] Confirmed 19 September 1511, *Ibid.* [8] *Reg. Mag. Sig.* [9] Dean of Lismore's Chronicle, 44; and Chronicle of Fortingall, 111. [10] *The Douglas Book*, by Sir William Fraser, iii. 110. [11] *Reg. Mag. Sig.*, 7 September 1502. [12] Chronicle of Fortingall, 121. [13] Charter, 9 May 1538, confirmed 26 August 1538, *Reg. Mag. Sig.* [14] Chronicle of Fortingall, 123.

Badchelych, 14 January 1507, and was buried in Killin.[1]

4. *Elizabeth*, married to David Toshach of Monzievaird, prior to 7 December 1518, when he granted her a liferent charter of the mains of Monzievaird.[2]

Sir Duncan married, secondly, Margaret, daughter of Sir John Moncrieff of that Ilk.[3] She married, as her second husband, William Menteith of Kerse and Alva,[4] who died 18 February 1523.[5] She died between 2 and 10 November 1554.[6] By her Sir Duncan had:—

5. *John*, who acquired Crannich, and became Bishop of the Isles.[7]
6. *Catherine*, married to William Murray of Tullibardine before 1524, with issue.[8] She survived her husband, being alive in 1576.[9]
7. *Annabella*, had a dispensation, dated 9 October 1533, to marry Alexander Napier of Merchiston.[10]

Sir Colin Campbell of Glenurchy, the eldest son, is said to have been 'ane great justiciare all his tyme,' and to have built the Chapel of Finlarig.[11] He died in the Castle of Glenurchy on the 12 August 1523, and was buried in the Chapel of Finlarig,[12] having married Marjory, daughter of John Stewart, Earl of Atholl.[13] She died on the 26 July 1524, at the Island of Lochtay, and was buried beside her husband.[14] By her he had three sons, successively lairds of Glenurchy:—

1. Sir Duncan.
2. Sir John, and
3. Colin.

Sir Duncan Campbell of Glenurchy, the eldest son, succeeded his father. He married Elizabeth, daughter of

[1] *Black Book of Taymouth*, 14, and the Chronicle of Fortingall, 115. [2] *Black Book of Taymouth*, 14. [3] *The House of Moncrieff*, by George Seton, 28 *n.* [4] *The Red Book of Menteith*, by Sir William Fraser, i. 261. [5] Chronicle of Fortingall, 118. [6] *Memoirs of John Napier of Merchiston*, by Mark Napier, 1834, 42, 43 *notes*. [7] *Black Book of Taymouth*, 15. [8] *Ibid.*, 15, and *Chronicles of the Families of Atholl and Tullibardine*, i. 14. [9] *Reg. Mag. Sig.*, 18 April 1576. [10] *Memoirs of John Napier*, 42. [11] *Black Book of Taymouth*, 17. [12] *Ibid.*, and Dean of Lismore's Chronicle, 46. [13] *Chronicles of the Families of Atholl and Tullibardine*, i. 28. It is there stated in error that she was the wife of Sir *John* Campbell. [14] Dean of Lismore's Chronicle, 46.

Sir John Colquhoun, eleventh of Colquhoun and thirteenth of Luss.[1] She married, after her husband's death, before 7 January 1549-50, John Maxwell of Dargavel,[2] and on 19 June 1556 appears as his relict, and then spouse of Patrick Fleming.[3] He died in the Castle of Glenurchy on 5 September 1536, was buried in the chapel of Finlarig,[4] and was succeeded by his brother. He had:—

1. A son, who died in minority.[5]
2. *Margaret*, married to John MacDougall of Raray in Lorn.

Sir John Campbell succeeded his elder brother in the estate of Glenurchy. On 25 June 1532, prior to succeeding his brother, he was outlawed for failing to appear before the Justice to answer for convocating the lieges.[6] He had a charter to himself, his wife, the survivor, and their heirs of the lands of Derry and Ardwaichlorne in Strathearn from his brother-in-law, William Edmonstone of Duntreath.[7] He and his wife had also a charter of the lands of the Port of Lochtay and others.[8] Sir John died in the Isle of Lochtay 5 July 1550, and was buried in the Chapel of Finlarig.[9] He married, prior to succeeding his brother, Mariot Edmonstone, sister of William Edmonstone of Duntreath, by whom he had two daughters.[10] His wife survived him.[11]

1. *Christian*, married to James Colquhoun of Garscube, second son of Humphrey Colquhoun of Luss,[12] contract dated 28 October 1558. She sold to her uncle, Colin Campbell, her half of the lands of Port of Lochtay and others, 29 December 1558.[13] She died in November 1591.[14] Her husband died in July 1604.[15]
2. *Mariot*, married to Alexander Hume, son and heir-apparent of George Hume of Lundeis, from whom they

[1] In *The Chiefs of Colquhoun*, by Sir William Fraser, i. 93, she is called Marjory, as also in the *Black Book of Taymouth*. [2] Charter in H.M. Register House. [3] *Register of Acts and Decreets*, fol. xiii. 448. [4] *Black Book of Taymouth*, 18. [5] *Ibid.* [6] Justiciary Records. [7] 23 May 1539, confirmed same day, *Reg. Mag. Sig.* [8] 20 May 1546, *Ibid.* [9] *Black Book of Taymouth*, 19; the Chronicle of Fortingall, 123, also says 5 July 1550, and the same chronicle, 124, repeats the entry, giving the date as 'quinto Julij anno Domini M.Vc. (tertio).' [10] *Black Book of Taymouth*, 19. [11] *Exch. Rolls*, xix. 436. [12] Fraser's *Chiefs of Colquhoun*, ii. 249. [13] *Reg. Mag. Sig.*, 5 May 1564. [14] Edin. Tests. [15] *The Chiefs of Colquhoun*, i. 107.

had a charter, in implement of their marriage-contract, of the lands of Rednoch and Ardgattie, 27 November 1558.[1] She likewise sold her half of the lands of Port of Lochtay and others to her uncle, 11 December 1558.[2]

Colin Campbell succeeded his elder brother, Sir John, in the estate of Glenurchy. He bought from Finlay MacNab of Bovain certain lands in Glendochart, 24 November 1552;[3] from Archibald, Master of Argyll, the lands of Glenstrae, 26 April 1554, to be held of the Crown;[4] and acquired from his nieces the lands of Port of Lochtay and others by charters, dated respectively 11 and 29 December 1558.[5] He had a grant from Queen Mary of the lands of Dalgardie and others, 27 October 1564.[6] He is said to have built the House of Taymouth, or Castle of Balloch.[7] He sat in Parliament in the year 1560, when the Protestant doctrines received the sanction of law.[8] Dying at Balloch on 11 April 1583, he was buried in the chapel of Finlarig.[9]

He married, first, prior to 16 April 1548,[10] Margaret Stewart, daughter of Alexander Stewart, Bishop of Moray, and widow of Patrick Grahame of Inchbrakie, by whom he had:—

1. *Beatrix*, married to Sir John Campbell of Lawers, with issue.[11]
2. *Margaret*, married to Allan MacDougall of Ragray in Lorn; contract 30 May 1569.

Colin married, secondly, before 15 June 1551,[12] Katherine Ruthven, daughter of William, Lord Ruthven, by whom he had:—

3. Sir Duncan.
4. *Colin*, the second son, born prior to 1555,[13] was provided with the lands of Ardbaichlorne and Darry, by the charter of 29 December 1558 above mentioned. He had a charter of the lands of Glenample and others in Balquhidder, 22 February 1562.[14] He married

[1] *Reg. Mag. Sig.*, 10 December 1558. [2] *Ibid.*, 5 May 1564. [3] *Ibid.*, 27 June 1553. [4] *Ibid.*, 6 July 1554. [5] *Ibid.*, 5 May 1564. [6] *Ibid.* [7] *Black Book of Taymouth*, 22. [8] *Acta Parl. Scot.*, ii. 526. [9] *Black Book of Taymouth*, 23, and Edin. Tests. [10] Græme's *Or and Sable*, 4. [11] *Black Book of Taymouth*, 20. [12] *Reg. Mag. Sig.* [13] *Reg. of Deeds* (Scott), i. 118. [14] *Reg. Mag. Sig.*, 12 February 1620.

Margaret, daughter of Robert Monro of Foulis, contract 28 May 1584, and was dead on 16 January 1610, when his son,

(1) *Colin*, served heir to him.[1] He disponed his lands of Glenample to Archibald, brother to Sir James Campbell of Lawers,[2] 9 February 1622 and 21 December 1622.[3] He also sold Edinchip and Kingart to Colin Campbell of Glenurchy, 15 June 1620 and 2 November 1619.[4] He married Jean Chisholm, who survived him, with issue a daughter.

5. *Patrick* of Auchinryre, who was a substitute to the fourth part of the lands of Monzie, 29 August 1581.[5] He died 'in his flouris,' without issue.[6]
6. *Archibald*, the fourth son, married Margaret Toshoch, eldest lawful daughter of Andrew Toshoch of Monzie. Contract 22 and 24 August 1581. He acquired from his father-in-law his fourth part of the lands of Monzie, 29 August 1581,[7] which he sold to his brother, Sir Duncan, 21 (*sic*) August 1581.[8] Died *s. p.*
7. *Margaret*, married at Perth 5 September 1574,[9] as his first wife, to James, son of William, Master of Glencairn, contract 24 May 1574 (see charter, 26 May 1574, confirmed 27 May 1574 [10]), and she died in January 1610, leaving issue.
8. *Katharine*, 'Quha deit in hir Yothhead.'[11]
9. *Mary*, married, first, to John, sixth Earl of Menteith, contract 22 October 1589, with issue. He died in December 1598. She married, secondly, contract 26 June 1599, Colin Campbell of Lundie, and survived him also.[12]
10. *Annas*, married, as his first wife, to John, son and apparent heir of James Campbell of Ardkinglas, contract 23 July 1571. As Annas and John were both then in minority, another contract was entered into, dated 29 March 1586, stipulating that the marriage should be solemnised before the succeeding

[1] Retours, Perthshire, No. 206. [2] *Black Book of Taymouth*, 57. [3] *Reg. Mag. Sig.*, 23 January 1623. [4] *Ibid.*, 13 September 1620. [5] *Ibid.*, 22 December 1585. [6] *Black Book of Taymouth*, 20, 22. [7] *Reg. Mag. Sig.*, 22 December 1585. [8] *Ibid.*, 2 April 1586. [9] Register of Marriages at Perth, printed in *Scottish Antiquary*, iv. 40. [10] *Reg. Mag. Sig.* [11] *Black Book of Taymouth*, 21. [12] *The Red Book of Menteith*, by Sir William Fraser, ii. 329, 330, 332, 333; and *Reg. Mag. Sig.*, 3 August 1614.

22 day of May.[1] They had issue a son, *Colin*, and daughter, *Elizabeth*. Annas died in October 1589.[2]

Sir Duncan Campbell of Glenurchy, the eldest son, born prior to 1555,[3] received from his father dispositions of the lands of Port of Lochtay and others, and the barony of Finlarig, dated 5 March 1573-74,[4] in implement of the contract of his marriage with Jean, daughter of John, Earl of Atholl, which was dated 18 November 1573. His father also disponed certain lands to that lady, in implement of said marriage-contract, 20 November 1573.[5] He acquired the lands of Cretindewar and Craigvokin, 2 December 1575.[6] He bought from his brother Archibald, as before mentioned, a fourth part of Monzie, 21 August 1581.[7] On the occasion of the marriage of King James VI. he was knighted about 17 May 1590.[8] He was one of the Lords of the Articles chosen to represent the barons in the Parliament held in Edinburgh in 1592, and was a commissioner for the smaller barons of Argyllshire to Parliament, 1593.[9] In 1594 he denied that he had any participation in the measures connected with the slaughter of the 'Bonnie Earl of Moray.'[10] He also acquired from various parties certain lands in Menteith, Strathgartney, and elsewhere.[11] King James feued to him the mill and mill lands of Mylnehorne.[12] On the resignation of Colin Campbell of Strachur, he acquired twenty-six merk lands in the barony of Glenfalloch; on the resignation of William Moncrieff of that Ilk, the lands of Culdares and Duneaves;[13] and on the resignation of Alexander Balfour of Boghall, the lands of Emyrcrichane and Costinterrie in Menteith.[14] In 1599 he represented the smaller barons at the Convention of Estates of Parliament,[15] and was a commissioner on the coin in that year.[16] He purchased from John, Earl of Atholl, and his wife, the lands of Wester Stuikis, on 18 September 1599.[17] He was warded in Edinburgh Castle in June 1601,

[1] *Reg. of Deeds*, xxiv. 355; see also *Black Book of Taymouth*, 25, 29. [2] Edin. Tests., xxix. [3] *Reg. of Deeds* (Scott), i. 118. [4] Confirmed 10 March 1573-74, *Reg. Mag. Sig.* [5] Confirmed 25 May 1574, *Ibid.* [6] Confirmed 26 March 1582-83, *Ibid.* [7] Confirmed 2 April 1586, *Ibid.* [8] *P. C. Reg.*, iv. 481 *n.* [9] *Parliamentary Return of Members of Parliament*, 1878, ii. 540. [10] *Origines Parochiales Scotiæ*, ii. pt. i. 81. [11] *Reg. Mag. Sig.*, 5 March 1595-96. [12] *Ibid.*, 14 June 1598. [13] *Ibid.*, 17 February 1598-99. [14] *Ibid.*, 27 February 1598-99. [15] *Parliamentary Return*, ii. 454. [16] *Acta Parl. Scot.*, iv. 181. [17] *Reg. Mag. Sig.*, 27 September 1599.

'throch the occasioun of certane fals leis and forged inventis,' and had to pay 40,000 marks to the courtiers of the King before he was released.[1] Thereafter he went to England and Flanders for about a year.[2] Alexander Menzies of that Ilk, on 15 April 1602, sold to Sir Duncan in liferent, and his eldest son in fee, the lands of Morinche and others.[3] He bought the lands of Drumquharg and others in the barony of Redgorton, 28 May 1611.[4] Two of his natural sons had letters of legitimation, 27 December 1614.[5] He and his heirs-male were appointed foresters of Mamlorne, 22 July 1617.[6] He acquired various lands in Strathgartney, 9 November 1618, and 31 October and 2 November 1618.[7] He purchased from Robert Robertson of Strowan, the four merk lands of Stronfernan, 21 December 1614, and the five merk lands of Candloch, 16 and 17 May 1616, and from Duncan Robertson, brother to Robert, Thometayvoir in Fernan, 14 August and . . . 1622.[8] He was created a baronet of Nova Scotia by patent dated 29 May 1625, and sealed 30 June 1627.[9] On 12 May 1627, King Charles I. granted letters of remission to Sir Duncan, his sons Colin, Robert, and Patrick, and their natural brother, Patrick, for burning the town of Dewletter and the castle of Glenstrae in 1611, when engaged against the Clan Gregor.[10] He is said to have built the Castle of Finlarig, the Tower of Auchallader, the House of Lochdochart, the House of Barcaldine, and another great house in Lorne.[11] Sir Duncan died at Balloch on 23 June 1631, aged eighty-one, and was buried in the chapel of Finlarig.[12] His portrait, dated 1601, is given in the *Black Book of Taymouth*. He married first, contract 18 November 1573,[13] Jean or Janet, daughter of John Stewart, fourth Earl of Atholl, Lord High Chancellor of Scotland, by his second wife Margaret, daughter of Malcolm, third Lord Fleming.[14] She died in September 1593,[15] and had issue :—

1. Sir Colin.

[1] *Black Book of Taymouth*, 36, 37. [2] *Ibid.* [3] *Reg. Mag. Sig.*, 22 February 1604. [4] *Ibid.*, 4 June 1611. [5] *Ibid.* [6] *Ibid.* [7] *Ibid.*, 17 December 1618. [8] *Ibid.*, 25 November 1623. [9] *Royal Letters, etc., relating to the Colonization of New Scotland* (Bannatyne Club), 120, and *Complete Baronetage*, ii. 282-283. [10] *Reg. Mag. Sig.* [11] *Black Book of Taymouth*, 35, 36. [12] *Ibid.*, 71. The preface, p. vi., states his age as eighty-six. [13] See *Reg. Mag. Sig.* [14] *Chronicles of the Families of Atholl and Tullibardine*, i. 35. [15] Edin. Tests.

2. SIR ROBERT.
3. *Duncan*, died young.[1]
4. *John*, who had from his father the lands of Auchinryre, and certain lands in Lorne, 12 August 1596.[2] He married Florentine, daughter of Duncan MacDougall of Dunolich, contract 29 August 1614. He died before the end of 1618, leaving four children:—

(1) *Alexander*, died before 4th February 1643.[3]
(2) *Duncan*.[4]
(3) *Archibald*.[5]
(4) *Jean*[6] married to Robert Fleming of Moness, on 15 February 1644.[7]

5. *Archibald* of Lagvinshoch, on 30 October 1594, while still a boy, had a charter of a quarter of the lands of Monzie from his father, who, on 13 January 1601, also gave him the Ibertlands of Monzie. He married, first, Catherine, daughter to John Graham of Inchbrakie, contract 14 April 1602. She made her will in February 1607, and probably died soon thereafter, leaving issue:—

(1) *Duncan*, who succeeded to Monzie and the Ibert, married Ann, or Agnes, Murray, daughter of Patrick Murray of Ochtertyre, contract dated 10 and 12 May 1633. He died 12 February . . . .,[8] leaving issue.
(2) *Margaret*, married to John Toshoch, younger of Pittenzie, contract dated 22 Jan. 1636.

Archibald married as his second wife, Christian, daughter of Alexander Robertson of Inchmagranoch, contract 2 December 1614. He died 10 November 1640,[9] survived by his second wife, by whom he had:—

(3) *Alexander*, a captain, was infeft in Glentarken and others, 23 May 1649.[10] He was drowned in the spring of 1652. Dying without issue, he was succeeded in his lands of Glentarken and others by his brother Patrick.[11]
(4) *Patrick*, succeeded his brother,[12] married Catharine Murray, seventh child of Patrick Murray of Ochtertyre, with issue.[13]

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[1] *Black Book of Taymouth*, 24. [2] *Ibid.*, 419. [3] General Retours, No. 2808. [4] *Ibid.*, Nos. 2808 and 4414; Perthshire Retours, No. 533. [5] *Inquis. de Tutela*, No. 309. [6] *Ibid.*, No. 310. [7] Kenmore Session Register. [8] Tombstone at Monzie: the year is illegible, but it was prior to 1648. [9] *Ibid.* [10] *Reg. of Sas.*, *Perthshire*, xi. 419. [11] *Ibid.*, 29 May 1650. [12] *Ibid.*, and *Origines Parochiales Scotiæ*, ii. pt. i. 134. [13] Playfair's *Baronetage*, *voce* Murray of Ochtertyre.

(5) *John.*[1]
(6) *Mr. Colin*, took degree of M.A. at St. Andrews, 6 June 1640, and was admitted minister at Killin before 6 May 1645; translated about 1650 to Blair Athol, married Jean, second daughter of James Stewart of Fincastle. She survived him and married John Stewart of Urrard.[2]
(7) *Mr. Robert*, M.A. St. Andrews 1642, admitted minister at Moulin prior to 4 April 1647,[3] married Jean Menzies,[4] with issue.
(8) *James.*[5]
(9) *Duncan.*[6]
(10) *Isobel*, married to Patrick MacGregor or Drummond, younger of Culcrieff, contract 18 November and 1st December 1643,[7] whom she survived.[8]

6. *Alexander* and 7. *Duncan*,[9] who both died young.
8. *Margaret*, his eldest daughter, married as his first wife, Sir Alexander Menzies of that Ilk, contract 10 December 1588. She died 8 September 1598.[10]
9. *Jean*, married, as his first wife, to John, afterwards Sir John, Campbell of Cawdor, contract 4 December 1601,[11] with issue. She died prior to 9 August 1622.[12]
10. *Anne* or *Agnes*, married to Patrick Ogilvie, apparent heir of Inchmartine, contract 20, 22, 24, and 25 February 1609, with issue.
11. *Elizabeth*, who died young.[13]

Sir Duncan married between 7 October and 7 November 1597, as his second wife, Elizabeth, daughter of Henry, Lord Sinclair, contract 7 and 20 October 1597,[14] and by her, who died in October 1654,[15] had issue:—

12. *Patrick*, on whom his father settled the lands of Edinample and others, in 1624.[16] He was one of the King's commissioners for the suppression of the Clan Gregor in 1633.[17] He had infeftment in the lands of Easter Torrie, 27 December 1637,[18] which lands he disponed on 29 June 1642 to Colin Campbell of Mochaster.[19] He was dead before 21 December 1648,[20] having been killed 'in the cause of the Covenant,'[21]

[1] *Reg. of Sas., Perthshire*, vi. 138. [2] *Fasti*, iv. 792, 824. [3] *Ibid.*, iv. 811. [4] *Reg. Sas., Perthshire*, vi. 138. [5] *Ibid.* [6] *Ibid.* [7] *Ibid.*, x. 406. [8] *Ibid.*, xi. 134. [9] *Black Book of Taymouth*, 24. [10] *Transactions Soc. Ant. Scot.*, xix. 147. [11] *The Thanes of Cawdor*, 220. [12] *Ibid.*, 257. [13] *Black Book of Taymouth*, 24. [14] *Register of Deeds*, 19 September 1598. [15] *Register of Testaments, Perth*, i. 416, 15 December 1654. [16] *Black Book of Taymouth*, 62. [17] *Acta Parl. Scot.*, v. 45. [18] *Laing Charters*, No. 2232, and *Reg. Mag. Sig.*, 17 July 1637. [19] *Laing Charters*, No. 2308. [20] *Reg. Mag. Sig.*, 21 April 1649. [21] *Acta Parl. Scot.*, vi. pt. ii. 275, 531.

probably at the battle of Kilsyth. He had been married, and had issue:—

(1) *John*, eldest son.
(2) *Colin*, who, along with his father, had a charter of the lands of Glentarken, 19 May 1636,[1]
and others.

13. *John* (*secundus*), who was alive at his father's death.[2]
14. *William*, died young.[3]
15. *Juliana* (Egidia), married, as his first wife,[4] to John Gordon apparent of Buckie, on 18 June 1626,[5] with issue. She is called eldest daughter, and her husband is designed Laird of Hilton, contract 16 April and — May 1626.[6]
16. *Elizabeth*, married to Robert Irvine of Fedderat, second son of Alexander Irvine of Drum, contract 31 October 1621. Married at Kenmore on 4 December 1621.[7]
17. *Catharine*, married to Alexander, son and apparent heir of Sir John MacDougall of Dunollie in April 1628.[8]
18. *Jean*, married to John (Murray), Earl of Atholl, 6 June 1630.[9] She is designed youngest daughter in her marriage-contract, which is dated last of April and 6 May 1630. He died in June 1642, leaving issue by her.[10]

Sir Colin Campbell, the eldest son, had from his father a charter of the lands of the Port of Lochtay and others in the lordship of Discheor and Toyer and in Strathearn, dated 12 March 1602, and a charter of the barony of Finlarig and lands of Glenfalloch and Glendochart, as well as in Argyllshire, of the same date.[11] He acquired the barony of Lude 11 March 1619;[12] Over and Nether Tullybannacher, 24 March and 18 April 1623, and 24 July 1623;[13] and Innergeldies, 3 and 10 May 1625.[14] He is stated to have been fifty-four years of age when he succeeded his father.[15] On 18 June 1633, he had an

[1] *Reg. Mag. Sig.*, 11 July 1642. [2] *Black Book of Taymouth*, 80. [3] *Ibid.*, 24. [4] The House of Gordon, Balbithan MS., p. 58. [5] *Ibid.*, and *Black Book of Taymouth*, 63. [6] See also *Reg. Mag. Sig.*, 7 March 1628. [7] *Black Book of Taymouth*, 57. [8] *Ibid.*, 68. [9] *Ibid.*, 70. [10] *Chronicles of the Families of Atholl and Tullibardine*, i. 114. A supposed portrait of her is given in that work. [11] Confirmed 24 March 1602, *Reg. Mag. Sig.* [12] *Ibid.*, 18 March 1619. [13] *Ibid.*, 25 November 1623. [14] *Ibid.*, 24 February 1629. [15] *Black Book of Taymouth*, 72.

Act of Parliament ratifying various charters granted to his father and himself,[1] and in that year was one of the King's justices to suppress the Clan Gregor.[2] In Pinkerton's *Scottish Gallery* are portraits of Sir Colin Campbell in 1633, aged fifty-six, and his wife in the same year, aged fifty-two. He died 6 September 1640, aged sixty-three, without issue, survived by his wife,[3] Juliana (Egidia), second daughter of Sir Hugh Campbell of Loudoun (contract 1594), and was buried in the chapel of Finlarig.[4] He was succeeded by his younger brother:—

SIR ROBERT CAMPBELL. His father granted a charter to him and the lawful heirs-male of his body, of the lands of Mochaster and others in the barony of Glenfalloch and Glendochart, 20 November 1601.[5] He acquired Corriechrombie from John Drummond, Earl of Perth, 9 November 1620;[6] Coschambies and others in Strathgartney from Alexander Shaw of Cambusmoir 25 March 1622.[7] On the death of his elder brother Sir Colin, in 1640, he succeeded him, and is stated to have been then sixty-one years of age.[8] He was M.P. for Argyllshire 1639-41, 1643-44, and 1644-49. Sir Robert became involved in financial difficulties, and several of his creditors took possession of his estates.[9] He died 17 November 1657, aged eighty-two.[10] He married Isabel, daughter of Lachlan Mackintosh of Dunnachton, captain of Clan Chattan (contract 16 December 1605), and had issue:—

1. SIR JOHN.
2. *Duncan*, second son, who died at Finlarig on 16 August 1630, and was buried in the chapel of Finlarig, aged twenty-two.[11]
3. *Colin* Campbell of Mochaster, who was born at Finlarig in 1616, and married Margaret, daughter of Sir Alexander Menzies of that Ilk, on 6 April 1641. He received from his father the lands of Mochaster

[1] *Acta Parl. Scot.*, v. 112-115. [2] *Ibid.*, v. 45. [3] *Black Book of Taymouth*, 83, 84. [4] *Ibid.* [5] Confirmed 11 January 1602, *Reg. Mag. Sig.* [6] *Reg. Mag. Sig.*, 28 November 1620. [7] *Ibid.*, 15 May 1622. [8] *Black Book of Taymouth*, 85. [9] *Reg. Mag. Sig.*, 20 March 1649, 23 March 1649, 21 April 1649, 22 May 1649. [10] *Complete Peerage*, *voce* Breadalbane. [11] *Black Book of Taymouth*, 86.

25 April 1642.[1] In 1642 he acquired the lands of Easter Torrie from Patrick Campbell of Edinample,[2] and sold them in 1655.[3] He died at Mochaster 22 October 1668, and was buried in the chapel of Finlarig, survived by his widow, who died at Carwhin in 1681, and was also buried in the chapel of Finlarig. They had:—

(1) *Duncan*, born at Finlarig 18 November 1647, died *s. p.* at Mochaster July 1675, buried at Finlarig.[4]

(2) *John*, born at Finlarig 14 February 1649, died *s. p.* at Mochaster November 1675, and was buried at Finlarig.[5]

(3) *Colin* of Carwhin, born at Caolchurn Castle, 18 December 1652. He married, in Greyfriars Church, Edinburgh, 15 April 1677, Elizabeth, eldest lawful daughter of Mr. Andrew Pringle, minister at Castletown in Liddesdale. He was Sheriff-clerk of Caithness 167— to 1680. He was admitted a Writer to the Signet 9 February 1686, and died *s. p.*[6] 31 January 1715.[7]

(4) *Robert* of Borland, born at Mochaster 2 September 1660,[8] died in February 1704;[9] married Janet, daughter of the deceased Robert Campbell of Glenlyon, contract 20 July 1700, by whom he had an only son and daughter:—

i. *Colin* of Carwhin, born in 1704; served heir-general to his uncle Colin Campbell of Carwhin 9 April 1715,[10] died at London 30 March 1772, having married 28 January 1758 Elizabeth, daughter of Archibald Campbell of Stonefield,[11] with issue:—

(i) JOHN, fourth Earl of Breadalbane.

(ii) *Colin* of Carwhin, born 12 December 1763, captain in the 99th Regiment of Foot.[12] He died *s. p.* at Edinample 27 June 1792,[13] when he was succeeded by his brother.

(iii) *Jane*, born 1 December 1758, died 23 March 1769.

(iv) *Elizabeth*, born 28 July 1760, died 5 October 1774.

ii. *Helen*,[14] married —— Macfarlane of Gartartan.

(5) *Alexander*, born at Mochaster 4 April 1662, died *s. p.* before 13 December 1704.[15]

(6) *Isabel*, born at the place of Weem 12 May 1643, died 13 April 1655, and was buried at the Church of Clachandysart in Glenurchy.

(7) *Marjory*, born at Easter Torrie 15 July 1644. She was married to Thomas Graham, fiar of Duchrae, contract 9 and 11 February 1669, with issue.

(8) *Jeane*, born at Easter Torrie 3 July 1645, married to Alexander

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[1] *Reg. Mag. Sig.*, 20 June 1642. [2] *Laing Charters*, Nos. 2308-2311. [3] *Ibid.*, 2565. [4] Breadalbane Succession Case, Joint App., 401. [5] *Ibid.* [6] *Ibid.* [7] *History of W.S. Society.* [8] *Complete Peerage* says 10 September. [9] Joint App., 401, and Testament-Dative, Dunkeld Commissariot bundle for 1705. [10] *Services of Heirs.* [11] See curious story as to this marriage in Burke's *Vicissitudes of Families*, 3rd ser. 57-60. [12] Joint App., 117. [13] *Ibid.*, and *Scots Magazine* for 1792, 361. [14] Joint App., 401. [15] *Ibid.*

Campbell of Wester Ardeonaig, as his first wife, contract 28 October 1665.

(9) *Barbara*, born at the Place of Ballantone in Menteith 2 October 1646, died 7 October 1646, and was buried at Kilmadock.

(10) *Margaret*, born at Castle Caolchurn 27 April 1650, died January 1677, and was buried in the chapel of Finlarig.

(11) *Anna*, born in the tower of Castle Caolchurn on 3 December 1651, died 17 May 1652, and was buried in the aisle at the Kirk of Dysart in Glenurchy.

(12) *Julian*, born in the tower of Castle Caolchurn 31 December 1653, died at Ardeonaig 15 February 1656, and was buried in the Kirk of Killin.

(13) *Isabel*, born in Murlaganmoir 29 July 1655, married, as his first wife, to Mr. Robert Kirk, minister at Balquhidder, contract 14 January 1678, with issue; died in January 1681, and was buried in the Kirk of Balquhidder.[1]

(14) *Helen*, born at Mochaster 22 July 1657. She was dead before 14 November 1689, having been married to Alexander M'Duff of Cambusurich, with issue three children.[2]

(15) *Grissel*, born at Mochaster 8 September 1658, died there 17 May 1661, and was buried at the Kirk of Callander in Menteith.

4. *Robert*, who died young.[3]

5. *William* born about 1621; killed at Stirling in September 1648;[4] married Jean, daughter of Sir Colin Campbell of Ardkinglass, and had:—

(1) *Robert*, born 19 March 1647, and baptized 25 March 1647;[5] married, contract 7 and 22 July 1674, Susanna, daughter of Colonel James Menzies of Culdares by his first marriage, with issue:—

i. *Colin*, born 1680; died 10 August 1737, aged 57;[6] married, 22 April 1712, Agnes, eldest daughter of Robert Campbell of Auchlyne, with issue.[7]

(i) *Robert*, born 20 February 1713;[8] died without issue.

(ii) *James*, born 12 March 1714;[9] lieutenant in the Hon. Lord John Murray's Highland Regiment; had precept of *clare constat* as heir to Robert his grandfather 8 August 1740; died 6 February 1751, aged thirty-six,[10] without issue.

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[1] According to her tombstone, which is outside the walls of the old kirk of Balquhidder, she died 25 December 1680, and had two sons, Colin, who became a Writer to the Signet, and William. [2] Bond by her brother Colin to them of that date. [3] *Black Book of Taymouth*, 86. [4] *Ibid.*, 103. [5] Kenmore Sess. Reg. [6] *Memorials of the Stewarts of Fortingall.* [7] Register in Glenfalloch Family Bible; Joint App., (25), 131, and Killin Reg. of Mar. [8] Family Bible *supra*. [9] Joint App., 395. [10] Family Bible *supra*; Dunkeld Tests.

(iii) ***William***, born 23 February 1715,[1] succeeded to Glenfalloch as heir to his brother James, and infeft therein 21 November 1751,[2] acquired the superiority of that property 30 June 1777,[3] and executed an entail thereof 30 August 1784;[4] died 2 October 1791,[5] having married, first, Effie M'Nicol, on 18 February 1740,[6] with issue:—

a. ***Christian***, born 15 June 1741;[7] died in 1781, having been married, first, to —— M'Pherson, with issue one son and four daughters; secondly, to James Campbell of Hellsglen.[8]

William married secondly, on 9 December 1747, Susanna, daughter of Mr. Duncan Campbell.[9] She died before 17 March 1793;[10] with issue:—

b. ***Colin***, born at Stuckchaple, Glenfalloch, 30 December 1749;[11] baptized 4 January 1750;[12] lieutenant in second battalion 71st Regiment;[13] captain in 1793 in the first battalion of the Breadalbane Fencibles;[14] succeeded to Glenfalloch on the death of his father;[15] died at Glenfalloch 4 June 1806,[16] having married, first, a few months prior to April 1776, Miss Drummond—she was really one of the daughters of Gregor M'Gregor of Inverardran—who died at New York about 1778, with issue:[17]—

(*a*) one or more children, who died in infancy.[18]

Colin married, secondly, Mrs. Constable, formerly wife of an officer in the provincial troops serving with the British army in America,[19] with issue:[20]—

(*b*) ***William Erskine***, his only son, born at London, 10th May 1784;[21] succeeded to Glenfalloch on his father's death.[22] He was in the civil service in Ceylon, and died at Colombo, Ceylon, 22 July 1806,[23] having married Susanna, daughter of Charles Campbell of Lochdochart, who survived him,[24] by whom he had an only son. His

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[1] Register in Glenfalloch Family Bible. [2] Joint App., 396. [3] *Ibid.*, 397. [4] *Ibid.*, (64), 120. [5] *Ibid.*, 433. [6] Family Bible *supra*. [7] *Ibid.* [8] Joint App., 432, 434. [9] Family Bible *supra*. [10] Respondent's Case, H. L., 19, 20. [11] Family Bible *supra*. [12] Killin Parish Reg. [13] Joint App., 421. [14] *Ibid.*, 441. [15] *Ibid.*, 122. [16] *Scots Mag.*, 1806, 488. [17] Joint App., 429. [18] *Ibid.* [19] *Ibid.*, 429, 440. [20] *Ibid.*, 440, 643. [21] Family Bible *supra*. [22] Joint App., (17), 123. [23] *Scots Mag.*, 1807, 397. [24] Joint App., 644.

widow married, secondly, Captain Macfarlane, Callander, without issue.

a. John Breadalbane Campbell succeeded to Glenfalloch when about four years of age on the death of his father;[1] died at Callander on 4 January 1812 aged ten years.[2] On his death the succession to the estate of Glenfalloch opened to the heirs-male of the body of James, second son of William Campbell of Glenfalloch (*see below*).

Colin married, thirdly, in 1793, Jean Campbell or Ogilvie, who survived him.[3]

c. *James*, born at Stuckchaple, 30 March 1754, 'new style';[4] baptized 8 April 1754;[5] had a commission as ensign 1st May 1775 in the 40th Regiment of Foot; lieutenant 14 March 1777;[6] retired from that regiment 20 April 1785;[7] lieutenant and quartermaster of the first battalion Breadalbane Fencibles 1 March 1793;[8] captain in that regiment 15 November 1794 till its reduction in April 1799;[9] captain in the Cambrian Rangers, 23 August 1799 till June 1802.[10] He ran away in 1781 with Eliza Maria Blanchard, wife of Christopher Ludlow, a medical practitioner, apothecary, and grocer in Chipping-Sudbury, Gloucestershire. Christopher Ludlow died in January 1784 at Portsmouth.[11] James Campbell died at Edinburgh 24, and was buried on 29, October 1806 in the Canongate churchyard there.[12] Administration May 1807. It was on the question of the marriage of James Campbell to this lady that the Breadalbane succession case, decided by the House of Lords 27 May 1864, turned. Their Lordships held (Lord Wensleydale dissenting) in favour of the legitimacy of the issue. She died in London in 1828.[13] They had :—

(*a*) *William John Lamb Campbell*, the

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[1] Joint App. (18), 124. [2] *Scots Mag.*, 1812, 156; Dunblane Tests., 31 July 1816. [3] Joint App., 646. [4] Family Bible *supra*. [5] Killin Reg. Baptisms. [6] Respondent's Case, H. L., 14. [7] *Ibid.*, 17. [8] Joint App., 435. [9] *Ibid.*, 21, 24. [10] *Ibid.*, 25. [11] Joint App., 53, 159. [12] Respondent's Case, H. L., 28; Joint App., (27), 133, (264), 580. [13] *Ibid.*, 28.

exact date of whose birth has never been ascertained. He is stated to have been born at Edinburgh and to have been nineteen years of age on 29 September 1807, when he joined H.M.S. *Prince of Wales* as a midshipman;[1] baptized at Gateshead-on-Tyne, 20 January 1788;[2] studied anatomy and surgery at Edinburgh University 1803-4;[3] joined Navy as above; left it on 27 September 1808;[4] served heir-male of tailzie and provision to his cousin, John Breadalbane Campbell of Glenfalloch, 18 March 1812;[5] Lieutenant-Colonel of the guard of honour in attendance upon Queen Victoria on her visit to Taymouth Castle in 1842.[6] He died 4 June 1850,[7] having married in St. Gregory by St. Paul's, London, on 21 May 1810, Rosanna, youngest daughter of John Doughty, co. Salop,[8] with issue:—

a. JOHN ALEXANDER GAVIN CAMPBELL, who succeeded as sixth Earl of Breadalbane.

(b) *John*, who died in infancy.[9]

(c) *Breadalbane Gavin*, youngest son, born 11 October, baptized 12 November 1796 at Inveresk;[10] died at Edinburgh 9, and buried in Greyfriars churchyard, Edinburgh, 12, December 1803.[11]

(d) *Elizabeth Marbrough*, born at Plymouth 4, baptized 30, May 1785[12] married, first, in 1802 at Edinburgh, to John Butler, student of physic,[13] and secondly, to John Hilton, with issue.

(e) *Susanna Sophie*, baptized at Gateshead 6 October 1789.[14]

(f) *Colin Maria Nairne*, born probably in 1797; married to William

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1 Respondent's Case, H. L., 18, 19. 2 Joint App., (173), 279. 3 Respondent's Case, H. L., 27, and Joint App., (244), 560. 4 *Ibid.*, 29, and Joint App., (295), 611. 5 Joint App., 295, 622. 6 Respondent's evidence, (339), 671. 7 Respondent's Case, H. L., 33, and his evidence, (346), 678. 8 Joint Case, (126), 612. 9 Respondent's Case, H. L., 20. 10 Joint App., (173), 279. 11 Respondent's Case, H. L., 26, and his evidence, 560, 561. 12 *Ibid.*, 17, and Joint App., 279. 13 *Ibid.*, 26, and his evidence, 556. 14 Joint App., 279.

Sutton, with issue, and died 6 May 1862, aged sixty-five or sixty-six.[1]

d. Duncan, born at Stuckchaple 19 December 1757,[2] of Morven estate, parish of Hanover, Jamaica; died in London without lawful issue 9 September 1810.[3] Will proved 13 September 1810.

e. Archibald, born at Stuckchaple 11 July 1759;[4] apprentice to Messrs. Graham, writers, Glasgow; lieutenant in the 74th Regiment December 1777;[5] returned from America in 1784; began business in 1786 as a writer in Edinburgh;[6] died at Prestonpans, 17 April 1806,[7] having married in 1791[8] Jean, daughter of William Butter of Braehouse, architect in Edinburgh.[9] She died on 1, and was buried beside her husband in Colinton churchyard 5, March 1842,[10] with issue an only child:—

(*a*) *Jean*, who married Captain Robert Campbell of the East India Company Service.[11] She died without issue in 1852.[12]

f. William, born at Stuckchaple 16 November 1760;[13] went to Jamaica in 1778, became a planter in Hanover parish there;[14] died in Jamaica without issue in October 1791.[15] Will proved 8 June 1793.

g. John, born at Stuckchaple 19 November 1763;[16] ensign in the Western Regiment of Fencible Men 16 November 1781;[17] lieutenant in the same regiment 13 July 1782;[18] had lease for fifty-seven years of farm of Kylettormore 23 April 1787;[19] captain in Earl of Elgin's regiment of Fencible Infantry 8 November 1794;[20] captain Royal Perthshire Militia 24 August 1803;[21] captain in First Battalion Second Brigade Royal Perthshire Volunteer Infantry 4 November 1806;[22] adjutant in Highland Regiment Perthshire Militia 24 September 1808;[23] died 12 March 1823, having married on 13 June

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[1] Respondent's Case, H. L., 23, 24. [2] Family Bible *supra*. [3] Joint App., (30), (31), (32), 136-7-8. [4] Family Bible *supra*. [5] Joint App., 433. [6] *Ibid.*, 439. [7] *Scots Mag.*, 1806, 399. [8] Joint App., 433. [9] *Ibid.*, 326. [10] Respondent's Evidence, 665. [11] *Ibid.*, 337, 669. [12] Case for Respondent, 34. [13] Family Bible *supra*. [14] Joint App., 139, 433. [15] *Ibid.*, 22, 128. [16] Family Bible *supra*. [17] Joint App., 415, 741. [18] *Ibid.*, 741. [19] *Ibid.*, 431. [20] *Ibid.* [21] *Ibid.* [22] *Ibid.* [23] *Ibid.*

1788, Janet, daughter of William Butter of Braehouse, architect in Edinburgh,[1] with issue:—

(a) *Charles William*, born at Edinburgh 14 March 1789.[2] He entered the army, his first commission being dated 21 May 1809; lieutenant 2 May 1811; placed on half-pay 17 April 1817; served in the Peninsula with the 39th Regiment of Foot, and was present at the battles of the Pyrenees, Nivelle, Orthes, and Toulouse, for which he received the war medal with four clasps;[3] died on 18 January 1861;[4] and was buried in Warriston Cemetery, Edinburgh, having married at Kinloch, on 14 March 1832, Charlotte Olympia Cockburn, daughter of John Campbell of Kinloch.[5] She died 1 June 1880,[6] with issue:—

a. *Charles William*, born at Borland, 4 April 1836.[7] He entered the army, his first commission being dated 20 December 1854, and served with distinction in the Indian Mutiny, the China Campaign 1860, and the Egyptian War of 1882. At the time of his death he was Major-General of the Bengal Staff Corps.[8] He was the appellant in the Breadalbane Succession Case in 1867, and married in 1888 Gwynnedd, daughter of the late William Edward Brinkman, Esq., R.N. He died in 1894, leaving:—

(α) *Charles William*, born in 1889.

(β) *Colina Edwy*, born in 1891.

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[1] Family Bible, Joint App., (37), 143. [2] Borland Family Bible *supra*, and Joint App., (39), 145. [3] Hart's *Army List*, 1861, 495, 506. [4] Joint App., (40), 146. [5] *Ibid.*, 77, 79. [6] Tombstone in Warriston Cemetery, Edinburgh. [7] Joint App., 79. [8] Hart's *Army List*, 1894, 601, 635.

(γ) *Mary Gwynnedd*, born in 1893.

(δ) *Margaret Alice*, born in 1894.

β. *John Erskine*, who for some time was in the Mounted Police, Cape of Good Hope, afterwards in India, died in Burmah 29 May 1889[1] unmarried.

γ. *Colin George Lorne*, who was born in 1848; entered the army, his first commission being dated 28 June 1867. After a distinguished military career, he died in August 1890, having married in 1886 Robina Gordon, daughter of Robert Fraser, Esquire of Brackla, in the county of Nairn, with issue:—

(α) *Charles Colin Kinloch*, born in 1889.

(β) *Isla Lorn Gavin*, born in 1887.

δ. *Charlotte Elizabeth*, born in 1838, married in 1861 Michael Servas Vanderbyl of Woodville, Cape of Good Hope. She died at Wimbledon on 30 January 1897, without issue.

ε. *Mary Turner Gavin*, living at Kilmodan Cottage, Musselburgh, unmarried.

(b) *George Andrew*, born at Auchline, 9 July 1791,[2] married at Taymouth Castle, on 2 August 1830, Margaret, youngest daughter of Colonel James Campbell of Glenfeochan. She was born at Carlisle on 16 January 1808. He died at Rothesay on 3 July 1852, and she died at Edinburgh on 5 February 1884,[3] with issue:—

a. *John Breadalbane*, born

[1] Tombstone in Warriston Cemetery, Edinburgh. [2] Borland Family Bible *supra*, and Joint App., (38), 144. [3] Family Bible.

30 June 1839, living in Florida, United States of America, married, in 1873, Kath. M'Donald.

β. A son born and died 2 April 1849,

and seven daughters.

(*c*) *Colin*, born at Borland on 13 March 1794,[1] died unmarried.[2]

And six daughters.

h. *Alexander*, born at Glasgow 31 March 1767;[3] ensign in 97th Regiment 1781;[4] exchanged into 42nd Regiment, tacksman of Kirktown of Strathfillan; for distinguished services in Egypt promoted captain and brevet-major 21st Regiment. He shot Captain Boyd of the same regiment in an alleged duel on 23 June 1807, for which he was tried at Armagh Assizes, found guilty, executed there 24 August 1808, and was buried at Ayr.[5] He married ——, daughter of William Bowie of Camsiscan, provost of Ayr, with issue four children; the only one who arrived at maturity was:—

(*a*) *William Bowie Stewart Campbell* of Cloichfoldich, born 1803, admitted Writer to the Signet 4 March 1826, died 11 June 1847, having married, first, 16 March 1830, Sarah Priscilla, only daughter of J. Fearnside, London, and second, 5 April 1838, Janet W. Maxwell, only child of Robert Stewart of Cloichfoldich,[6] without issue.[7]

William Campbell of Glenfalloch had also six daughters.

(iv) *Duncan*, born 11 October 1718.[8]

(v) *John*, born 10 May 1720.[9]

(vi) *Henry*, born 19 May 1722.[10]

(vii) *Archibald*, born 7 August 1723.[11]

(viii) *Robert*, born 10 February 1726;[12] apparently at one time a linendraper in Edinburgh, afterwards lieut.-captain in the 99th Regiment; died at Fort St. Ann, Jamaica, in 1782, having married Jean, daughter of Sir James Sinclair

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[1] Borland Family Bible *supra*. [2] Appellant's parole evidence, (78). [3] Glenfalloch Family Bible *supra*. [4] Respondent's evidence, (119), 415. [5] Trial of Major Campbell for murder, 1808; and A short Vindication of the Memory of the late Major Alexander Campbell, 1810. [6] *History of W.S. Society*. [7] Joint App., 78. [8] Glenfalloch Family Bible *supra*. [9] *Ibid*. [10] *Ibid*. [11] *Ibid*. [12] *Ibid*.

of Dunbeath, by his second wife, Isobel Lumsden,[1] and had issue :—

a. Colin, a substitute in Glenfalloch entail 1784,[2] surgeon in the 39th Regiment, died in the island of Guadeloupe in 1794.[3]

b. James, also a substitute,[4] captain in the 74th Regiment, served in the American War as a subaltern in the 71st Regiment, was present at the capture of Seringapatam in the East Indies, died in India in 1801.[5]

c. John, also a substitute,[6] captain in the 74th Regiment, served in America as a subaltern in the 82nd Regiment, died in India in 1792.[7]

d. Robert,[8] a lieutenant in the 42nd Regiment 1795 to 1803.[9]

e. Jean, had an annuity on the Compassionate List.[10]

(ix) *Alexander*, born 26 February,[11] baptized 2 March 1730.[12]

ii. *James*, died without issue.

iii. *Archibald*, who lived at one time in Succoth, had four daughters, Elizabeth,[13] Susanna,[14] Lilias, who died abroad,[15] and Isobel, married to John Davies, surgeon in Glassarie, with issue.[16]

iv. *William*, died before 30 August 1784.[17] He was father of :—

(i) *Archibald*,[18] sergeant in the Middlesex Militia, who had a son :—

a. Colin.[19]

v. *Duncan*, who had :—

(i) *Colin*, who went to America.

(ii) *James*, bookbinder to the Queen.

vi. *Susanna*, who married John Campbell of Lochdochart.

(2) *James*, born between 1648 and 1651, became a writer in Glasgow, and died without issue.

6. *James*, who died young.[20]

7. *Alexander*, who got from his father the lands of Lochdochart; married, first, on 29 January 1656, Julian, daughter of Alexander Robertson of Strowan,[21] with

[1] *Caithness Family History*, by John Henderson, W.S., 90. [2] Joint App., 121. [3] Memorial for his sister in MS. [4] Joint App., 121. [5] Memorial for his sister. [6] Joint App., 121. [7] Memorial for his sister. [8] Joint App., 121. [9] Memorial for his sister. [10] *Ibid.* [11] Glenfalloch Family Bible *supra*. [12] Killin Parish Reg. [13] Argyll Tests., 8 September 1798. [14] *Ibid.* [15] Edin. Tests., 5 September 1798. [16] *Ibid.* [17] Joint App., 121. [18] Now only son, 30 August 1784, *Ibid.* [19] *Ibid.*, 121. [20] *Black Book of Taymouth*, 86. [21] Kenmore Session Reg.

issue. He married, secondly, on 19 September 1671, Magdalene, daughter of William Menzies of Carse,[1] with issue.

8. *Duncan*, born 1631,[2] who got from his father the lands of Auchlyne; married Christian, daughter of Walter Dalgleish of ——.[3] He died in 1703. She died in 1698,[4] with issue.
9. *Margaret*, married to John, eldest son of Allan Cameron of Lochiel, in October 1626, with issue.[5]
10. *Isobel*, married to James Campbell, apparent heir of Ardkinglass;[6] contract 19 August 1636, which states that the marriage was solemnised in January 1636, with issue.
11. *Agnes*, married to Dugald, son and apparent heir of Archibald Campbell of Inverawe, contract 1 May 1633, with issue.
12. *Julian*,[7] married before 5 July 1625 to Murdoch M'Lean, eldest son of Hector MacLean of Lochbuy.[8]
13. *Mary*, married to Robert Robertson of Fascally on 30 July 1650, with issue,[9] contract 24 and 30 July 1650. Apparently both were dead before 28 March 1685.[10]
14. *Katherine*, married to Andrew Toshach of Monzievaird, 9 March 1641.[11]
15. *Jean*, married, first, to Archibald Campbell of Glenlyon,[12] contract 25 June 1632, with issue. She was married, secondly, before 5 January 1647, to Patrick Roy MacGregor,[13] with issue. She married, thirdly, before 10 July 1656, Duncan Stewart of Appin, with issue.[14]
16. *Marjory*, married to Archibald Stirling of Coldoch,[15] contract 1637.
17. *Beatrix* died young.[16]

Sir John Campbell, the eldest son of Sir Robert

[1] Kenmore Session Reg. [2] *Memorials of the Stewarts of Forthergill.* [3] Their banns were proclaimed at Kenmore *pro primo*, 4 May 1656; Kenmore Session Reg. [4] *Memorials of the Stewarts of Forthergill.* [5] Nisbet's *System of Heraldry*, App. 226, and *Memoirs of Lochiel*, Bannatyne Club, 63. [6] *Black Book of Taymouth*, 87. [7] *Black Book of Taymouth*, 90, calls her eldest daughter. [8] *Reg. Mag. Sig.* [9] Kenmore Session Reg. [10] *Court of Session Decreets.* [11] Kenmore Session Reg. The *Black Book of Taymouth*, 87 and 94, says they were married in February 1641. Their marriage-contract was dated 26 February 1641. [12] *Black Book of Taymouth*, 87. [13] Kenmore Session Reg. [14] *Ibid.* [15] *Black Book of Taymouth*, 87. [16] *Ibid.*

Campbell of Glenurchy succeeded him. His father had resigned the barony of Glenfalloch and many other lands to him in liferent and his eldest son in fee, on which a charter of novodamus was granted.[1] He was Colonel of the Perthshire Foot in 1643; served on the Committee of War for Perthshire in 1644, 1647, 1648, 1649, and on that for Argyllshire 1648. He was one of the Colonels for Dumbarton, Argyll, and certain of the Isles in 1648; a Commissioner of Supply and of Excise for Argyllshire and Perthshire.[2] He was Member of Parliament for Argyllshire, 1661-63.[3] On 9th September 1662 he had a ratification in his favour of the Office of Forestrie of Mamlorne.[4] He died in June 1686,[5] having married, first, Mary, daughter to William (Graham), Earl of Airth and Menteith. She died 28th January 1653, and was buried at Finlarig. By her he had issue :—

1. John, afterwards first Earl of Breadalbane.
2. *Robert*, who was designed of Barcaldine, educated at University of Edinburgh, married Anna Campbell, natural daughter of an Earl of Argyll. She is said to have been a widow of Sir Donald Campbell of Ardnamurchan.[6] He survived till after 1670, and died without issue.
3. *Mr. Alexander*, apprentice Writer to the Signet, afterwards writer, who was infeft in Botuarymore and other lands, 17 December 1678.[7]
4. *Duncan*, died unmarried about 1678.
5. *William*, baptized 9 October 1643,[8] designed of Tulloch.[9]
6. *James*, baptized 14 June 1646.[10]
7. *Agnes*, eldest daughter, married to Alexander Menzies of Weem, contract 4 May 1653, with issue.
8. *Isabel*, second lawful daughter, married to Donald Campbell of Barbreck, contract 30 September and 28 December 1658, with issue.
9. *Catherine*, married to Alexander Robertson of Lude, contract 23 March 1664, with issue.
10. *Jean*, baptized 8 February 1645,[11] married to John

[1] *Reg. Mag. Sig.*, 19 February 1642. [2] *Acta Parl. Scot.*, vi. *passim.* [3] *Parliamentary Return*, ii. 572. [4] *Acta Parl. Scot.*, vii. 438-439. [5] *Argyll Commissariot Tests.* [6] *Thanes of Cawdor*, Gen. table; *Gen. Reg. of Sas.*, 31 Dec. 1667. [7] *Reg. of Sasines, Perthshire*, 27 Dec. 1678. [8] Kenmore Par. Reg. [9] *Laing Charters*, No. 2895. [10] Kenmore Par. Reg. [11] *Ibid.*

Stewart of Tullynadies, son of Sir Robert Stewart of Polcak, contract 9 June 1666.

11. *Margaret*, married to Duncan, eldest son of Mr. Archibald M'Corquodale of Phantilands, contract 7 July 1676.
12. ——, married to Mr. Colin Campbell of Auchnaba.
13. *Mary*, married to Robert Campbell of Drumsynie, contract 28 September 1687.
14. *Beatrix*, baptized 7 February 1648.[1]

Sir John Campbell married, secondly, Elizabeth, daughter of Patrick Dow More Campbell of Edinchip, who was a natural son of Sir Duncan Campbell, seventh of Glenurchy, legitimated 10 April 1616, by whom he had:—

15. *Patrick*, said to have been a surgeon in the Navy.
16. *Colin*, apprentice to Robert Campbell, merchant in Edinburgh in 1674.
17. *William*, an ensign and adventurer in the African Company.
18. *Walter*, died before September 1679.
19. *Elspet*, married first to John, brother of Alexander Campbell of Lochnell; secondly to Alexander Campbell of Stonefield.
20. *Geills*, and 21. *Marjory*.

Sir John Campbell married, thirdly, Christian, daughter of Robert Mushet of Craighead. She died in 1697,[2] by whom he had:—

22. *James*, mentioned in a disposition dated 9 May 1678.[3] He appears to have died within a year or two thereafter.
23. *Charles*, mentioned in disposition above referred to, and died before 17 October 1707.[4]
24. *Isabel*, married to John MacNaughtan of that Ilk, contract 6 December 1683.[5]
25. *Susanna*, married in 1680, to John Campbell of Ardchattan, with issue.[6]
26. *Anna*, married to Robert MacNab of that Ilk. She died in Glendochart, 6 September 1765, being then the last surviving child of her father.[7]

[1] Kenmore Parish Register. [2] Dunblane Tests. [3] Writs of Wester Caldoch. [4] *Inhibitions*, Perthshire, of that date. [5] Referred to in Testament-Dative of Sir John Campbell, her father, *Argyll Commissariot*, 3 August 1686. [6] *Scottish Antiquary*, viii. 6. [7] *Scots Magazine*, xxvii. 447.

27. *Jean*, married to Alexander Campbell, younger of Airds, contract 13 May 1699.

I. John Campbell of Glenorchy, eldest son of Sir John Campbell, Bart., born about 1635, was Member of Parliament for Argyllshire 1669-74.[1] He was principal creditor of George Sinclair, sixth Earl of Caithness, from whom he obtained a conveyance of his dignities, landed estates, and heritable jurisdictions, dated 8 October 1672.[2] Upon this he had a Crown charter 11 January 1673, and infeftment followed on 27 February following. He did not enforce his rights during the life of his debtor, but lived in family with him. He had become bound to allow the Earl and his wife an aliment of 12,000 merks. On the death of the Earl of Caithness in May 1676,[3] Sir John was created 'upon gross and false misrepresentations,'[4] 28 June 1677, EARL OF CAITHNESS, VISCOUNT OF BREADALBANE, LORD ST. CLAIR OF BERRIEDALE AND GLENURCHY, and directed to assume the name and arms of Sinclair. He invaded Caithness with seven hundred men and dispossessed the heir-male of the late Earl of the lands of Keiss.[5] King Charles II. annulled the patent of the earldom, and confirmed George Sinclair, heir-male of the last Earl of Caithness, in the dignity.[6] On 13 August 1681—under the name of 'John Campbell of Glenurchie'—he obtained a new patent, with the former precedency—28 June 1677—whereby he was created EARL OF BREA D'ALBANE AND HOLLAND, VISCOUNT OF TAY AND PAINTLAND, LORD GLENURCHY, BENEDERALOCH, ORMELIE AND WEICK, in the Peerage of Scotland, with a special power to him—similar to one contained in the first patent—to nominate as successor any younger son, by his (then deceased) first wife, and the heirs-male of the body of such son, whom failing to the heirs-male of his own body, whom failing to his heirs-male, whom failing to his heirs whatsoever, but always under this provision and condition, 'that in case after the decease of the said John Campbell, any of the said John Campbell's sons whom

[1] *Parliamentary Return*, ii. 579. [2] Maidment's *Genealogical Collections*, 20. [3] *Ibid.* [4] *Acta Parl. Scot.*, viii. 368. [5] *Ibid.* [6] Riddell's *Scottish Peerages*, 29.

he shall happen to design, by a writ under his hand, shall not succeed, or have right to the family and estate of Glenurchie; that the said son so to be designed by the said John Campbell during his lifetime, and the heirs-male of his body, whom failing, the other heirs of tailzie and provisions succeeding to him, shall only assume and enjoy the title, honour, and dignity of Earl of Holland, Viscount of Paintland, Lord Ormelie and Weick (to the exclusion of the other titles), ay and while there shall be a conjunction of the family and estate of Glenurchie with the family and estate provided in favouris of the son so to be designed, and the heirs appointed to succeed to him, either by the accession of the family and estate of Glenurchie to the person representing the family and estate of Caithness, or by the accession of the estate of Caithness to the person who shall have right to and represent the family of Glenurchy; after which conjunction and consolidation of both estates, it should be lawful to use and assume, and carry the foresaid titles, etc., of Earl of Breadalbane and Holland,' etc.[1] Proceedings against him for treason were apparently soon thereafter instituted. Under date 24 July 1683, Lord Fountainhall records: 'A letter from his Majesty to the Criminal Court is read, discharging any procedure against the Earl of Breadalban of Glenurchy, and his son, in that process of treason, until further orders; for he had come in submission to the Duke of York. And afterwards he got a remission.'[2] He was a member of the Privy Council for Scotland, 1685, and lieut.-col. of a regiment of foot in Perthshire in 1689,[3] and in that year was fined for absence from Parliament.[4] Took the oath of allegiance in 1690.[5] On behalf of the Government he met with the Jacobite Chiefs at Auchallader on 30 June 1691 with a view to inducing them to submit.[6] After the massacre of Glencoe, on 10 June 1695, a summons of treason was raised against him at the instance of the Commission of Enquiry, and he was committed to prison in Edinburgh Castle[7] as

[1] The patent was not recorded at the time it was granted, but only after a Petition to the Court of Session on 21 February 1745.—Riddell's *Law and Practice in Scottish Peerages*, 290, 291. [2] Fountainhall's *Decisions*, i. 236. [3] *Acta Parl. Scot.*, ix. 27. [4] *Ibid.*, 108. [5] *Ibid.*, 109. [6] *Memoirs of Sir Ewen Cameron of Lochiel*, 301. [7] *Acta Parl. Scot.*, ix. 366.

having advocated the Stuart cause in the Highlands, but on his explaining that it was by connivance of the Government itself that he did so, he was discharged without a trial.[1] On 13 December 1704, with consent of his eldest son, he entailed the estates of Breadalbane on his second son John, and his heirs-male, whom failing to Colin, his younger son and his heirs-male, whom failing to Colin Campbell of Carwhin, only son then alive of Colin Campbell of Mochaster and his heirs-male; whom failing, to the heirs-male of the entailer.[2] He refrained from voting for the Union in 1707, and was at the age of seventy-eight chosen one of the Scottish Representative Peers, 1713-15. In the rising of 1715 he sent five hundred men to join the Chevalier, but escaped punishment, possibly by his death in the following year. He married, firstly, 17 December 1657, at St. Andrew's Wardrobe, London, Mary, daughter of Henry (Rich), first Earl of Holland, by Isabel, daughter and heiress of Sir Walter Cope of Kensington, Middlesex. She died 8 February 1666, with issue.

1. *Duncan Campbell*, styled Lord Ormelie, born about 1660.[3] He was infeft in the fee of the lands of Catines, and also in Barbreck-Lochow and Auchendryen in 1670. He was, it is said on account of his incapacity, passed over in his father's nomination of a successor.[4] On the narrative that 'knowing how easie I may (through the facility of my own nature, and want of knowledge) be circumvained and deceaved in the management of my affairs by subtle and craftie persones who may have designes upon me,' he interdicted himself from disposing of his lands on 9 October 1694.[5] In 1704 he concurred with his father in the conveyance of the family estates to his younger brother, reserving an alimentary provision in his own favour.[6] He is generally stated to have died unmarried,[7] or without issue, in or about 1727, aged sixty-seven.[8] Elsewhere he is stated to have married

[1] *Complete Peerage*, *voce* Breadalbane. [2] *Register of Tailzies*, 6 July 1705. [3] Foster's *Peerage*, *voce* Breadalbane. [4] Lord Hailes' MS. Notes on Douglas' *Peerage*, quoted in *The Breadalbane Succession Case*, by James Paterson, 1863, p. 9. [5] *Ibid.*, 11. [6] *Register of Tailzies*, 6 July 1705, and *The Breadalbane Succession Case*, 13, 14. [7] Nisbet's *Heraldry*, 1742. [8] *Complete Peerage*, *voce* Breadalbane.

Margaret, daughter of Campbell of Lawers, and left issue.[1] There is a strong tradition in the Highlands that he left two sons.[2] And in 1863 John Campbell, Fortwilliam, claimed the title on the ground of his descent from Duncan, Lord Ormelie, which, if proved, would have constituted him heir-male of the entailer, to which class the succession then opened on the failure of male issue of the second Earl.[3]

2. JOHN, the second Earl of Breadalbane.

He married, secondly, 7 April 1678, Mary, second daughter by Margaret, daughter of William (Douglas), Earl of Morton, of Archibald (Campbell), Marquess of Argyll, and widow of George, sixth Earl of Caithness, saving, by this economical step, the alimentary allowance of 12,000 merks.[4] She died 4 February 1691, leaving issue.

3. *Colin*, of Ardmaddie. On 3 October 1694 he had a bond of provision for £95,000 Scots. He died at London 31 March 1708,[5] aged twenty-nine,[6] without lawful issue.

The Earl died 19, and was buried 28, March 1717, aged eighty-one, having nominated, 14 July 1685, his second son, John, as his successor in the Peerage. It is said of him, 'It is odds, if he lives long enough, but he is a Duke. He is of a fair complexion, and has the gravity of a Spaniard, is as cunning as a Fox, wise as a Serpent, and as slippery as an Eel.'[7]

By Mrs. Mildred Littler[8] he had:—

[1] Foster's *Peerage*, *voce* Breadalbane. [2] See *The Gaelic Bards*, by A. MacLean Sinclair; *The Language, Poetry, and Music of the Highland Clans*, by Lieut. Donald Campbell, 204; *The Breadalbane Succession Case*, by James Paterson, 1863, and *Statement of the Breadalbane Case*, by Alexander Sinclair, Esq., 1864. [3] *Complete Peerage*, *voce* Breadalbane. [4] Maidment's *Genealogical Collections*, 20. [5] Kenmore Session Register. [6] M.-I. in St. Mary Abbots, Kensington. [7] Macky's *Memoirs*. [8] Whether the Earl of Breadalbane was married to Mrs. Mildred Littler or not is uncertain. Douglas, in the first edition of his *Peerage*, 1764, p. 91, after mentioning the marriages of the Earl with Lady Mary Rich, and Lady Mary Campbell, says: 'He had likeways a daughter, Lady Mary, married to Archibald Cockburn of Langton,' without specifying her mother. In the second edition, however, this is amplified to: 'He' (the Earl) 'married a third wife, by whom he had a daughter, Lady Mary,' etc., and in most modern peerages Mrs. Mildred Littler, who died in 1746, is stated to have been his third wife, and mother of Lady Mary. That she was mother of Lady Mary abundantly appears by various documents

4. *Mary*, married, 11 April 1719, Archibald Cockburn, Advocate, son of Sir Archibald Cockburn of Langton, contract 1719, and died August 1725, with issue.

II. JOHN, second Earl of Breadalbane and Holland, etc., second son by the first wife and heir under his father's nomination, dated 14 July 1685. He was born 19 November 1662. He was summoned to surrender after the rising of 1715, but escaped punishment.[1] His right to the Peerage was impugned in 1721, 'his elder brother, Lord Ormelie, being then alive,' etc.[2] He was served heir to his father 26 December 1733. He was one of the Scottish Representative Peers 1736-52, and Lord-Lieutenant of Perthshire. He married, first, Frances, daughter of Henry (Cavendish), second and last Duke of Newcastle, by Frances, daughter of the Honourable William Pierrepont. She, who was born 25 June 1660, died without surviving issue 4 February 1690, in her thirtieth year. He married, secondly, 23 May 1695, Henrietta, sister of Edward, first Earl of Jersey, daughter of Sir Edward Villiers, Knight-Marshal, by his first wife Frances, daughter of Theophilus (Howard), Earl of Suffolk. She died 1 February 1719-20. He died at the Abbey of Holyrood House, Edinburgh, 23 February 1752, in his ninetieth year.[3] Will pr. February 1753. Issue, one son and two daughters

1. JOHN, the third Earl.
2. *Charlotte*, who died, unmarried, before her father.[4]
3. *Henrietta*, or *Harriot*, appointed in 1736 one of the

under the Earl's hand; but it is worthy of notice that in the first edition of Douglas' *Peerage*, which appeared only eighteen years after her death, she is not mentioned, and Lord Hailes notes on his copy regarding Lady Mary: 'Not by either of those noble Ladies but by some nameless concubine. After his daughter was grown up, the governess of Lord Glenorchy's daughters said she was an impudent bastard to take place of them in going into a coach. When the old man heard this he said that she should take place of them, and accordingly acknowledged the mother as his wife.' The Earl usually designed her simply 'Mrs. Mildred Littler.' Lord Hailes gives no date when the alleged acknowledgment took place, and on 8 December 1716, within eighteen months of his death, the Earl made a settlement upon 'Lady Mary Campbell, my daughter by Mrs. Littler,' and the second Earl refers to her as 'Lady Mary Campbell, my sister.' [1] *Complete Peerage, voce* Breadalbane. [2] Robertson, *Proceedings relating to the Peerage, of Scotland*, 88. [3] *Complete Peerage, voce* Breadalbane. [4] The Case of John, Earl of Breadalbane, 7 June 1872 (revised copy), p. 9.

Ladies of the Bedchamber to the Princesses Amelia and Caroline, daughters of George II. She died, unmarried, at London, 27 January 1766,[1] and was buried beside her mother at Taplow.[2]

III. JOHN, third Earl of Breadalbane and Holland, etc., only son and heir by second wife, baptized 10 March 1695-96; matriculated at Christ's Church, Oxford, 13 October 1711, and then aged fifteen; Master of the Horse to the Princess of Wales, 1718; Minister to Copenhagen, 1720; Knight of the Bath (under the style of Lord Glenorchy) at the revival of that order, 1725; Member of Parliament for Saltash, 1727-41; for Orford, 1741-46; Minister to St. Petersburg, December 1731; one of the Lords of the Admiralty, 1741-42; Master of the Jewel Office, 1746; one of the Scottish Representative Peers, 1752-68, and 1774-80; Chief Justice in Eyre south of the Trent, 1761-65; Keeper of the Privy Seal of Scotland, May to October 1765; Vice-Admiral of Scotland, 1776-82. In politics he was a warm supporter of Walpole.[3] On 5 May 1775 he executed an entail of his vast estates.[4] He married, first, 20 February 1717-18,[5] at St. James', Westminster, Amabel, first daughter and co-heir of Henry (Grey), Duke of Kent, by his first wife, Jemima, daughter of Thomas (Crewe), Baron Crewe of Steyne. She died at Copenhagen 2 March 1727.[6]

1. *Henry*, only son, who died 12 May 1727, aged six.[7]
2. *Jemima*, born 9 October 1723, married, 22 May 1740 (in Brompton at the lodgings of her grandfather, the Duke of Kent), to Philip (Yorke), Viscount Royston, afterwards second Earl of Hardwicke. She became *suo jure* Marchioness Grey and Baroness Lucas of Crudwell by special remainder on the death of her grandfather, Henry (Grey), Duke of Kent, on 5 June 1740. Her husband died 16 May 1790, aged sixty-nine or seventy. She died 10 January 1797, in St. James' Square, Middlesex, with issue, two daughters. A portrait of her father, the third Earl, is stated to be in the possession of Earl de Grey.

[1] *Scots Magazine*, 55. [2] The Case of John, Earl of Breadalbane, 7 June 1872, p. 9. [3] *Complete Peerage*, *voce* Breadalbane. [4] Respondent's Case, H. L., App. (2), 108. [5] *Lic. Fac.* [6] *Complete Peerage*, *voce* Breadalbane. [7] *Historical Register Chronicle*, 1727, p. 19.

He married, secondly, 23 January 1730, Arabella, third daughter and co-heir of John Pershall (son and heir-apparent of Sir Thomas Pershall, Bart.), by Charlotte, daughter of Thomas (Colepeper), Lord Colepeper. She died at Bath 1 September 1762, in her sixtieth year. He died 26 January 1782, in his eighty-sixth year, at the Abbey of Holyrood House. Will proved June 1783. On his death the succession opened to the heirs-male (general) of the grantee. It is alleged that the third Earl, by his second marriage, had also a daughter called Margaret Lillias, who eloped with and married Duncan M'Callum, called the Foxhunter, about the year 1769 or 1770, with issue, two sons and two daughters. She is said to have died at Port-Glasgow about the year 1818, and the title and estates were claimed by her great-grandson, John M'Callum, in 1872, under the destination to heirs whomsoever. He maintained that John, fourth Earl of Breadalbane, was not the son of Colin Campbell of Carwhin, but the illegitimate son of the third Earl, but his claim does not merit serious attention.[1]

3. *George*, died at Moffat on 24 March 1744,[2] aged about twelve years.
4. *John*, styled Lord Glenorchy, born 20, and baptized 30, September 1738, at St. Marylebone, Middlesex. He married at St. George's, Hanover Square, Middlesex, 26 September 1761, Willielma, second and posthumous daughter and co-heiress of William Maxwell of Preston. He died, without issue, during his father's lifetime, 14 November 1771, in his thirty-fourth year, at Barnton, Midlothian, and was buried at Finlarig. His widow, well known for her charity and piety, died in George Square, Edinburgh, 17 July 1786, in her forty-fourth year, and was buried in a chapel in that city, which she herself had founded. Testament confirmed 1 June 1787.[3]

IV. John Campbell, fourth Earl of Breadalbane and Holland, etc., third cousin and heir-male of the third Earl, being first son and heir of Colin Campbell of Carwhin (*see ante*, p. 190), which Colin was only son of Robert Campbell of Borland,

[1] The Case of John (M'Callum), Earl of Breadalbane in the Peerage of Scotland, 7 June 1872 (revised copy). [2] *Scots Magazine*, 151. [3] Edin. Tests.

the only son who had issue of Colin Campbell of Mochaster, who was third son of Sir Robert Campbell, Bart., Laird of Glenorchy, and younger brother of Sir John Campbell, Bart., who was father of John, created Earl of Breadalbane, etc., as before mentioned. He was born 30 March 1762, educated at Westminster, and afterwards resided for some time at Lausanne in Switzerland,[1] succeeded his father in the estate of Carwhin 30 March 1772, and served heir to his cousin in the Peerage and family estates on 13 August 1782,[2] retoured heir-male of tailzie and provision to his only brother, Captain Colin Campbell of Carwhin, 1 March 1793.[3] One of the Representative Peers of Scotland, 1784 to 1802. He raised two regiments of Fencibles in 1792, which were afterwards increased by a third battalion,[4] of which he was Lieutenant-Colonel, 1795; Colonel in the Army, 1802; Major-General, 1809; and Lieutenant-General, 1814. In 1805 he received the gold medal of the Society of Arts for his success in planting forty-four acres of waste land in the parish of Kenmore with Scots and larch firs.[5] Councillor of State for Scotland to the Prince of Wales, April 1806. On 13 November 1806 he was created BARON BREADALBANE OF TAYMOUTH CASTLE, co. Perth, and on 12 September 1831, on the coronation of William IV., he was created EARL OF ORMELIE, MARQUESS OF BREADALBANE in the Peerage of the United Kingdom. A caricature entitled, 'Petticoat Government, or the Grey Mare is the Better Horse,'[6] which was published at the time was generally understood to represent Lord and Lady Breadalbane. He married, 3 September 1793, at her mother's house in Welbeck Street, Marylebone, Middlesex, Mary Turner, eldest daughter and co-heiress of David Gavin of Langton House, co. Berwick,[7] by Elizabeth, daughter of James (Maitland), seventh Earl of Lauderdale. He died 29 March 1834, at Taymouth Castle, co. Perth. Will proved July 1834. His widow died 25 September 1845, at Langton House. Will proved October 1845, with issue:—

1. JOHN, Lord Glenorchy, second Marquess.
2. *Elizabeth Maitland*, born 25 July 1794, married, 19

[1] Kay's *Portraits*, i. 233. [2] Respondent's Case, H. L., 18, and Joint App., 408. [3] Joint-App. (10), 116. [4] Brown's *History of the Highlands*, iv. 372; Kay's *Portraits*, i. 233, says there were four battalions. [5] Kay's *Portraits*, i. 233. [6] *Ibid.*, i. 248. [7] *Edinburgh Evening Courant*, 7 September 1793.

October 1831, to Sir John Pringle, Bart., of Stitchill, and died 17 February 1878.

3. *Mary*, born 10 July 1795, married 13 May 1819, to Richard Plantagenet, Marquess of Chandos, afterwards second Duke of Buckingham, K.G., and died 28 June 1862.

V. JOHN (CAMPBELL), Marquess of Breadalbane, Earl of Ormelie and Baron Breadalbane of Taymouth Castle; also Earl of Breadalbane and Holland (in the Scottish Peerage), etc., only son and heir, born 26 October 1796 at Dundee, educated at Eton.[1] He was M.P. for Okehampton (under the style of Lord Glenorchy), 1820-26, and for Perthshire (under the style of Earl of Ormelie), 1832-34. He was served heir to his father 14 July 1834;[2] Knight of the Thistle, 21 March 1838; Lord Lieutenant of co. Argyll, 1839; Lord Rector of the University of Glasgow, 1841; Privy Councillor, 1848; Lord Chamberlain of the Household, September 1848 to February 1852, and again January 1853 to February 1858; Hon.-Col. of Argyle and Bute Militia, 1854; Envoy Extraordinary to Prussia for the investiture (at Berlin, 6 March 1861) of King William (afterwards Emperor of Germany) with the order of the Garter; Knight of the Black Eagle of Prussia; President of the Society of Antiquaries of Scotland; Fellow of the Royal Society, etc. He married, 23 November 1821, at Mellerstain, Eliza, sister of George, tenth Earl of Haddington, eldest daughter of George Baillie of Jerviswood, who was then heir-presumptive to the earldom of Haddington, by Mary, daughter of Sir James Pringle, Bart. She, who was born 29 June 1803, died 28 August 1861 in Park Lane, Middlesex, without issue. He died *s. p.* 8 November 1862, at Lausanne in Switzerland, when his titles of Baron Breadalbane, Earl of Ormelie, and Marquess of Breadalbane became extinct, while the Scottish Peerages devolved on the heir-male (general) of John Campbell, the first Earl under the patent of 1677.

VI. JOHN ALEXANDER GAVIN, sixth Earl of Breadalbane and Holland, etc., cousin and heir-male, being only son and

[1] Joint-App., 657. [2] *Ibid.*, (5), 111.

heir of William John Lamb Campbell of Glenfalloch, co. Perth, by Rosanna, daughter of John Doughty of Salop, which William John Lamb Campbell was son and heir of James Campbell, captain in the Fencibles (by Elizabeth Maria Blanchard), the said James Campbell being son of William Campbell, all of Glenfalloch, the last-named William being a son of Colin Campbell, who was a son of Robert Campbell, eldest son of William Campbell, who was the fifth son of Sir Robert Campbell, Bart., Laird of Glenurchy, whereby he was younger brother of Sir John Campbell, Bart., and of Colin Campbell of Mochaster, the respective ancestors of the preceding Earls. He was born in London 30 March 1824; ensign in 79th Foot in 1842;[1] succeeded his father in the estate of Glenfalloch, 4 June 1850;[2] and succeeded his distant cousin (fourth cousin twice removed) in the Peerage and family estates in 1862 as stated. His right to succeed to the Peerage and estates was challenged by Charles William Campbell, grandson of John Campbell of Borland, on the ground that his father, William John Lamb Campbell, was not the son of James Campbell and Eliza Maria Blanchard by lawful marriage. Charles William Campbell was the next heir-male, and had he been successful in his contention, would have been entitled to succeed to the titles and lands. The Lord Ordinary (Barcaple) of the Court of Session found it proved that John Alexander Gavin Campbell was nearest and lawful heir of tailzie and provision in special of the deceased John, fifth Earl of Breadalbane. On a reclaiming note the majority of the whole Judges of the Court of Session, on 26 June 1866, adhered to the Lord Ordinary's Interlocutor, and on appeal to the House of Lords the decision was again affirmed on 16 July 1867, Lord Chancellor Westbury and Lord Chelmsford being for, and Lord Wensleydale being against. John Alexander Gavin Campbell was sometime captain in the 1st Royals. He married, 20 April 1853, Mary Theresa, daughter of John Edwards, Dublin. She died at Nice, 27 February 1870. He died 20 March 1871, aged forty-seven, at the Albany, Piccadilly, with issue.

1. Gavin, seventh Earl.
2. Ivan, born 17 November 1859; Deputy Lieutenant of

[1] Joint-App., 670. [2] Respondent's Case, H. L., 38, and his Evidence, 678.

the county of Argyll; lieutenant 79th Regiment; captain in 3rd Battalion Royal Scots, served in South Africa, 1899-1900; one of H.M. Hon. Corps of Gentlemen-at-Arms; married, 23 July 1884, Lady Margaret Elizabeth Diana Agar Ellis, daughter of James, third Earl of Normanton, and has:—

(1) *Ian Edward Herbert*, born 14 June 1885.

3. *Norman*, born and died in 1866.
4. *Eva*, born 22 July 1855, married 2 May 1876, John Cuthbert, second son of the Rev. S. J. Heathcote, vicar of Williton, co. Somerset, and has issue.

VII. Gavin (Campbell), seventh Earl of Breadalbane and Holland, etc., son and heir, born 9 April 1851, at Fermoy, co. Cork; educated at St. Andrews College; sometime Lieutenant Renfrew Militia and (1882) Salop Yeomanry Cavalry; Assistant Director and Deputy Chairman of Ambulance Department and Knight of Justice of the Order of St. John of Jerusalem; Brigadier-General Royal Company of Archers; was one of the Lords-in-waiting on Queen Victoria, March 1873 to February 1874; Treasurer of the Household, May 1880 to June 1885; on 25 March 1873 he was created BARON BREADALBANE OF KENMORE, co. Perth; and on 11 July 1885 was created EARL OF ORMELIE, co. Caithness, and MARQUESS OF BREADALBANE; Lord Steward of the Household, 1892-95; Knight of the Garter, 7 March 1894; Lord High Commissioner to General Assembly of the Church of Scotland, 1893-95; Deputy Lieutenant co. Argyll; J.P. for co. Argyll and Perth; Colonel 5th Volunteer Battalion, Black Watch. He married, 27 July 1872, at Trinity Church, Cowes, Isle of Wight, Alma Imogen Leonora Charlotta, youngest daughter of John (Graham), fourth Duke of Montrose, by Caroline Agnes, daughter of John (Beresford), second Baron Decies. She, who was born 7 September 1854, was an extra Lady-in-waiting to H.R.H. the Duchess of Albany. The King of Sweden and Norway conferred upon him in 1902 the Order of the Seraphim, one the oldest orders of knighthood.

Creations.—Earl of Caithness, Viscount of Breadalbane, Lord St. Clair of Berriedale and Glenurchy, in the Peerage

of Scotland, 28 June 1677. Earl of Breadalbane and Holland, Viscount of Tay and Paintland, Lord Glenurchy, Benderaloch, Ormelie, and Wick, in the Peerage of Scotland, with the former precedence, 13 August 1681. Baron Breadalbane of Taymouth Castle, in the Peerage of the United Kingdom, 13 November 1806 (*extinct*). Earl of Ormelie and Marquess of Breadalbane, 12 September 1831 (*extinct*). Baron Breadalbane of Kenmore, 25 March 1873, Earl of Ormelie and Marquess of Breadalbane, 11 July 1885; all in the Peerage of the United Kingdom.

Arms.—Quarterly: 1st and 4th, Gyronny of eight or and sable; 2nd, a lymphad sable, sails furled, oars in action, flags and pennons flying; 3rd, or, a fess chequy azure and argent.

Crest.—A boar's head erased, proper.

Supporters.—Two stags proper, attired and unguled, or.

Motto.—*Follow me.*

[J. M'G.]

BRECHIN, LORD OF BRECHIN

HENRY OF BRECHIN, who was the first who gave name to this family, was a natural son of David, styled Earl of Huntingdon, the younger brother of Malcolm IV. and William the Lion, Kings of Scotland. The date of his birth is not known, but he was old enough to witness a charter by his father between 1201 and 1207,[1] along with another natural son of Earl David, Henry of Stirling. These two appear not infrequently in charters by their father, their half-brother John, Earl of Huntingdon, and others of the period. In 1204 his father made interest with King John of England, and paid or offered 1000 merks to obtain for him the hand of a rich heiress, Matilda de Cauz, but the matrimonial project failed.[2] In 1205, however, another heiress was found whom apparently he married.[3] He is probably the Henry, son of Earl David, who was with King John in Ireland in 1210. He is frequently named in English records in connection with his father's affairs.[4]

[1] *Chartulary of Lindores*, Scot. Hist. Soc., ii. 237. 'Henry, son of the Earl' (David), occurs in a writ between 1191 and 1194, but there is no evidence as to which Henry is meant (*Ibid.*, 284, 285). [2] *Cal. Doc. Scot.*, i. Nos. 334, 350. The documents simply style him Henry, son of Earl David, which might apply also to Henry of Stirling, but Mr. Bain assumes, no doubt correctly, that Henry of Brechin was the intended bridegroom. [3] *Ibid.*, No. 365. [4] *Ibid.*, Nos. 475, 477, 478, 622, 623.

He was a witness to his father's will.[1] It is not clear when he obtained the designation of Henry of Brechin, but he is so named in a charter probably dated before February 1215, and to which his father and two brothers were witnesses.[2] The lordship of Brechin is said to have been granted by King William the Lion to his brother Earl David, who conveyed it to his son Henry. If so, the latter must have received it before the date of the charter cited. He is found as Henry of Brechin, attending the King's Courts held at Forfar in 1225 and 1227.[3] Between that and 1242 he appears as Henry of Brechin, son of Earl David, granting, in the name of Juliana, his wife, and William, his son, a charter to the Abbey of Lindores, of which his father was the founder. He bestows on the monastery an annualrent of twenty shillings, desiring that he and his wife should be buried at Lindores, because there they had chosen a place of sepulture, as persons who have been received to the confraternity of the house, and to participation of its prayers and spiritual benefits.[4] He was one of the magnates of Scotland who, in 1244, swore to aid Alexander II. to keep the truce or agreement entered into with England in 1237, and he apparently deceased before August of the following year, when his son is in possession.[5]

His wife's name was Juliana, and she was probably the daughter and heiress of Ralf de Cornhill, whom in July 1205, King John bestowed on him in marriage, with her estates.[6] Henry and Juliana had issue, so far as recorded, a son:—

Sir William of Brechin, who is first named by his father in the latter's charter to Lindores, already cited. He apparently succeeded his father before 30 August 1245, as on that date, while at Lindores, he granted to the monks there lands round or in the neighbourhood of their church of Rathmuriel (Christ's Kirk on the Green), now the eastern portion of Kennethmont parish, Aberdeenshire.[7] This shows he had inherited some of his grand-

[1] *Chartulary of Lindores*, Nos. 719, 1000. [2] *Ibid.*, 93, cf. 265. [3] *Acta Parl. Scot.*, i. 91, 406. [4] *Chartulary of Lindores*, 66. [5] *Ibid.*, 61. [6] *Cal. Doc. Scot.*, i. No. 365. [7] *Chartulary of Lindores*, 60, 61. This has been claimed as the scene of the poem 'Christis Kirk on the Green' (old *Statistical Account*, *sub voce* Kenethmont). The old name Rath or Rothmuriel seems to survive partially at least in 'Murrell,' a neighbouring farm.

father's Garioch estates. At a somewhat later date he confirmed the grant of twenty shillings yearly made by his father, having in the interval been made a Knight.[1] One of his residences, if not the chief, appears to have been his castle of Lindores, as in the beginning of 1249 he makes arrangement for divine service to be performed there when he required it, and obliged himself to provide all necessaries for the officiating chaplain. The chapel of the castle, built, as appears, by desire of David Bernham, Bishop of St. Andrews, is to be kept in repair by the granter. This charter was made at Bishop Bernham's manor of Inchmurthach, now Inchmurdo, on 7 March 1248-49.[2]

Sir William appears to have taken some part in public affairs, though he is not referred to until after the death of Alexander II. He was a witness to a charter by the young King, Alexander III., on 19 August 1251,[3] and was present in the Parliament of 20 September 1255, being then appointed on the Council who were to regulate the affairs of the King in the English interest.[4] But this Council only held office for three years, and Sir William for a time at least is not named in public affairs. He was a generous benefactor of the Church. In 1261 he entered into a special agreement with the abbot and convent of Lindores,[5] and he was founder of a chapel at Brechin in connection with a *maisondieu* or hospital, which in or about 1267, or a little later, he endowed with a definite portion of property. He describes himself as Sir William of Brechin, son of Henry, son of Earl David, and conveys to the master, the chaplains, and the poor men there to be serving God, all the land in which the chapel was situated, also the mill of Brechin, with the multures due to it, no doubt a valuable consideration.[6]

Sir William was present at the completion of the marriage-contract of the Princess Margaret of Scotland with Eric, King of Norway, on 25 July 1281, and he swore allegiance

[1] *Chartulary of Lindores*, 67, 68. He is described (42, 43) as Sir William of Brechin, Knight, in charters dated before or on 9 August 1248. [2] *Ibid.*, 68, 69. [3] *Laing Charters*, No. 7, where the year is incorrectly given as 1252. [4] *Acta Parl. Scot.*, i. 419. [5] *Chartulary of Lindores*, 142, 143; agreement dated 12 November 1261. [6] *Reg. Epis. Brechinensis*, i. 4-6; *Reg. de Panmure*, i. 205. The writ is undated, but must be about 1267, when Sabine became Abbot of Arbroath, and before 1269, when Albinus, Bishop of Brechin died.

to her infant daughter on 5 February 1283-84.[1] His last recorded appearance is as one of an inquest who decided as to the ownership by Christian Maule of some pasture-land in the holding of Panmure on 14 October 1286.[2] He died before 10 December 1292.[3]

Sir William of Brechin married, according to Wyntoun, the fourth daughter of Alexander Comyn, Earl of Buchan, by Elizabeth de Quincy, and it is probably she who as Elena, relict of Sir William of Brechin and Lady of Kinloch, granted, on 24 August 1302, two small portions of land to the monks of Lindores to be used for stacking peats and for buildings erected to preserve the abbey fuel.[4] Sir William had issue, so far as recorded, one son:—

Sir David of Brechin, who is first named as the son of the late Sir William of Brechin in a writ dated 10 December 1292, when King Edward I. made a grant of his marriage to Sir John de Calantir or Callendar, a grant renewed two years later, 18 June 1294.[5] In 1296 he was on the English side in the battle of Dunbar, and took prisoner the son of Sir Simon Fraser. For this, or at least about the same time, he had a grant from King Edward of Alan Dorward's lands.[6] In the same year he appears on the homage roll as of the county of Forfar.[7] In the following year he again swore fealty and bound himself to go to Scotland and prepare himself to accompany Edward against the King of France, failing which he was to return south of Trent, where he had been at the King's will.[8] This suggests that he was a prisoner on parole, and a fortnight later a protection or safe-conduct was granted him to go to Scotland.[9] Some time afterwards he had attained the rank of knighthood, and he was present with other Scottish barons at Peebles on 19 August 1299, when the Bishop of St. Andrews, Robert Bruce, Earl of Carrick, and Sir John Comyn, younger, were appointed guardians. Sir David was then in the train of the Earl of Carrick, and departed with him towards Annandale and Galloway.[10] He

[1] *Acta Parl. Scot.*, i. 423, 424. [2] Stevenson's *Historical Documents*, i. 26. [3] *Rotuli Scotiæ*, i. 13. [4] *Chartulary of Lindores*, 176, 177. [5] *Rotuli Scotiæ*, i. 13, 21. [6] Palgrave, 315, 355. [7] *Cal. Doc. Scot.*, 199, 209. [8] *Ibid.*, No. 883. [9] *Ibid.*, No. 961. [10] *Ibid.*, No. 1978. 19 August 1299 is usually assigned as the date of this meeting, but it may have been a year earlier, as a writ by Robert Bruce, Earl of Carrick, in his own name and that of his co-guardian, John Comyn, is dated 2 December 1298.—Communicated by Mr. J. R. N. Macphail, Advocate.

was still in that district in 1301, and was one of a strong force under Sir John Soulis and his own most intimate friend Sir Ingram Umfraville, who made a stern but unsuccessful assault on the castle of Lochmaben, then held by an English garrison.[1] Sir David was wounded in the second day's fight, and the Scots army retired, not without causing alarm among the English officials. He continued on the patriotic side until February 1304, when the leaders showed signs of wavering. He then had a safe-conduct to King Edward, and on 7 July of that year did homage at Stirling, where the King was conducting the siege of the castle, and received a precept for the restoration to him and his wife of her lands in England.[2] It was perhaps at this time that his lands of 'Lyirdwode' or Legerwood in Berwickshire were restored to him. They had been granted to Robert Hastings, who received compensation from Edward II.[3]

On 31 May 1305 Sir David was at Perth, and acted as one of a jury who gave a verdict as to the ownership of the barony of Crail. He is frequently named in the English records,[4] and was appointed to hold Dundee for Edward I. In July or August 1307 he and his friend Ingram de Umfraville were quartered at Ayr with a number of other knights under the command of Sir Aymer de Valence.[5] He continued in the service of King Edward II., fought against Bruce at the battle of Inverury,[6] and in May 1308 received Edward's thanks for his fidelity, receiving, a year later, a present of four casks of wine.[7] Between that date and 15 June 1310 he had joined the Scots, as he was then received to the King's peace.[8] Perhaps it was in the interval that he surrendered the castle of Brechin to the Scots, though it cannot be said that authorities agree as to the date. In the early months of 1312 he was at York with the King, and was paid his arrears of wages for himself and his garrison at Dundee, though apparently in

[1] Stevenson's *Hist. Doc.*, ii. 432. [2] *Cal. Doc. Scot.*, Nos. 1455, 1574, 1584, p. 416. [3] *Ibid.*, iii. No. 258. [4] *Ibid.*, No. 1670, 1716, 1717, 1876. [5] *Ibid.*, 1961. [6] Barbour's *The Brus*, Spalding Club, 199. On p. 203 Barbour states that as a result of the fight Sir David took refuge in his own castle of Brechin, where he was besieged by David, Earl of Atholl, and submitted to Bruce. But it is doubtful if the Earl of Atholl was in Scotland at the date assigned to the battle of Inverury. [7] *Cal. Doc. Scot.*, iii. Nos. 43, 121. [8] *Rotuli Scotiæ*, i. 82.

January he had gone to Roxburgh on the King's affairs.[1] In April he was appointed Warden of Berwick-on-Tweed, his horses and those of his men being duly valued, his own charger, a black destrier, being estimated at fifty marks. But he held the office, or at least drew wages for himself and his garrison, from 25 April to 13 May only, and in the account he is styled Sir David of Brechin, banneret.[2] He may have been again sent to Dundee, as his horse was valued there in 1312,[3] but his movements are difficult to trace. It is possible he may have been taken prisoner at Bannockburn, as on 4 October 1314 his wife received a safe-conduct to go to Scotland for release of her husband.[4] His daughter was married on or about 26 March 1315, and he witnesses a charter of King Robert between 1315 and 1320.[5] The next notice of him in English record is on 27 August 1317, when Edward II. empowers his Chancellor to issue letters in his favour, as he has received him to peace, and pardoned his offences.[6]

On 6 April 1320 Sir David appended his seal to the letter from the barons and community of Scotland to Pope John XXII., declaring their intention to maintain the independence of their country. Unhappily his own career was cut short a few months later in a tragic manner, connected with an alleged conspiracy, which to this day is involved in mystery. Fordun states that about August 1320 a plot was discovered of treason against King Robert, and that at a Parliament held at Scone in that month those accused were found guilty. He does not explain the nature of the treason. Barbour says it was proposed to dethrone Bruce and make Sir William Soulis king, and Crawford states it was a conspiracy to surrender Berwick back to the English. Whatever it was, those who were seized and convicted were barbarously punished, and while the other accused seem to have been little lamented, the fate of Sir David Brechin was much pitied. He was said to have fought in the Holy Land against the Saracens, and while there so distinguished himself by valour that among those who knew him he was styled the 'Flower of knight-

[1] *Cal. Doc. Scot.*, Nos. 238, 283. [2] *Ibid.*, Nos. 267, 268, 273, pp. 396, 399, 415. The horses were valued that they might be replaced if lost or killed. [3] *Ibid.*, 429. [4] *Rotuli Scotiæ*, i. 132. [5] *Reg. de Panmure*, ii. 219; Original charter in Gen. Reg. Ho., No. 80. [6] *Cal. Doc. Scot.*, iii. No. 569.

hood.' His offence, too, was comparatively lenient. He was in no way concerned in the plot, was indeed wholly opposed to it, but had known of it, and was compelled to take an oath of secrecy. For his silence, and his failing to inform the King, he was condemned and executed. Barbour relates how Sir Ingram de Umfraville, who had been a prisoner since Bannockburn, remonstrated with King Robert as to Sir David's fate, and desired leave to go to England.[1] Buchanan, in his history, almost sheds tears over the fate of one whom he describes as a youth, and the nephew of the King. But it will be clear from the foregoing narrative that he was not a young man, and that there was only one Sir David Brechin, and not two, as hitherto assumed, on insufficient grounds, by Buchanan and others.[2] His long devotion to the English service may have prejudiced King Robert against him.

His first seal, attached to two homages in 1296 and 1297, shows a shield bearing three piles, not in point. Legend 'S. DAVID DE BRECHIN.' For his second seal, *see below*.

Sir David was twice married. His first wife was Margaret, daughter and heiress of Sir Alexander of Bonkill, and widow of Sir John Stewart, called of Bonkill, who was killed at Falkirk in 1298. This is proved by the precept to restore her lands in July 1304, already cited, and also by a document referred to by Mr. Bain. From an inquiry made by the Bishop of Carlisle as to a disputed patronage of the church of Uldale which had belonged to her, it appears that she died about September 1304, that she was twice married, first, to John [Stewart], and secondly, to David Brechin, and had issue to both. Her heir by John Stewart was still a minor. Brechin, it seems, questioned the validity of her first marriage, and his own was also doubtful, but he had obtained a papal dispensation.[3]

It is less easy to say who was Sir David's second wife. She is named Margery in a safe-conduct in 1314, and it is not improbable that she was a Ramsay, as the seal under his name appended to the Pope's letter on 6 April 1329, shows

[1] *The Brus*, Spalding Club, 438-442; cf. *Cal. Doc. Scot.*, iii. Nos. 721, p. 435. [2] Cf. Fordun à Goodall, ii. 74; Crawford's *Peerage* under *Brechin*, and *Cal. Doc. Scot.*, iii. 28, *n.*, where Mr. Bain was the first to notice this mistake. [3] *Cal. Doc. Scot.*, ii. p. 58, Nos. 1455, 1574, 1584; *Ninth Rep. Hist. MSS. Com.*, App. 181*b*.

three shields point to point, bearing respectively three piles for Brechin, three garbs for Comyn, and an eagle with wings displayed, probably for Ramsay, as the seal has the legend 'Maria de Rame . . . .',[1] but nothing further can be stated on the subject. It is, however, evident that Sir David's alleged relationship by blood or marriage to King Robert Bruce is rendered more than doubtful.

Sir David had issue, so far as known, only by his first wife, one daughter, *Margaret*, who was married, about 1315, to Sir David Barclay.

Sir David Barclay, who became Lord of Brechin through his wife, the daughter of Sir David Brechin, was lord of Cairny, Murdochcairny, Auchtermoonzie (now Moonzie), Torr, and Kinsleaths in Fife, and apparently of Eddleston in Peeblesshire and Hyndford in Lanarkshire.[2] It has not been ascertained to what family he belonged, but it is apparently he who is described in the homage roll of 1296 as of the county of Fife.[3] He received from King Edward I. a grant of the lands of Avoch in Ross-shire, but about 1307 Hugh Ross, son of the Earl of Ross, petitioned Edward II. that the lands might revert to him, as Sir David Barclay had joined Bruce.[4] This corroborates Barbour, who implies that Barclay had joined Bruce before the battle of Methven, and he was apparently taken prisoner there, on 19 June 1306.[5] Nothing farther is known of him for some years, and he may have remained a captive until after Bannockburn, as the next notice of him is on 26 March 1315, when he granted certain lands to his future wife. After the death of his father-in-law, Sir David Brechin, in 1320, Sir David Barclay received from King Robert Bruce a grant of his forfeited lands of Rothiemay, Brechin, Kinloch, and others.[6] Henceforth he appears as Lord of Brechin.[7]

In 1327 and 1329 he was one of the Auditors of Exchequer, and he was Sheriff of Fife in 1328. He acted as Steward of the Household of the young Earl of Carrick, afterwards David II., and he had superintendence of the burial

[1] *Rotuli Scotiæ*, i. 132; *Acta Parl. Scot.*, i., figure of seal in facsimile. [2] *Reg. de Panmure*, ii. 220. [3] *Cal. Doc. Scot.*, ii. 209. [4] *Cal. Doc. Scot.*, ii. 400. [5] *The Brus*, Spalding Club, 40. [6] Robertson's *Index*, 18, 26. [7] Cf. *Reg. de Panmure*, ii. 220.

arrangements of King Robert Bruce at Dunfermline in 1329.[1] In 1342, he, by command of King David II., seized and imprisoned in Lochindorb an ambitious churchman, William Bullok, who had fallen under the King's displeasure.[2] Some years later, probably on account of some feud, or perhaps in revenge for the death of Sir Alexander Ramsay, he procured the death of John Douglas, brother of Sir William Douglas, the 'Knight of Liddesdale,' at a place called 'Forgywood.' In revenge he was himself assassinated by hired assassins at Aberdeen, on 25 January 1350, under circumstances of cruelty and treachery.[3]

By his wife Margaret Brechin he had issue:—

1. SIR DAVID, who succeeded.
2. *Jean*, who married Sir David Fleming, and had issue, two daughters:—

(1) *Janet*, mother of Alexander Seton. Neither this Alexander Seton nor his father have been clearly identified.[4] It was proposed, about 1398, to marry him to Elizabeth Erskine, daughter of Sir Thomas Erskine and Janet Keith or Barclay, his spouse, but she married Duncan Wemyss of Reres.[5]

(2) *Marion*, who married, about 1380, William Maule of Panmure, and was the ancestress of the Maules, Earls of Panmure. (*See that title.*) Her grandson, Thomas Maule, was, in 1437, acknowledged as heir of line of the lordship of Brechin.[6]

SIR DAVID BARCLAY, Lord of Brechin, does not appear on record till after his father's death, and then very seldom. In 1363, as Lord of Brechin, he confirms a charter of Dunmore in favour of Roger Mortimer, and he also granted, at an uncertain date, a charter of the lands of Kinsleath to his cousin, Hugh Barclay, son of his uncle, David Barclay.[7] It was apparently he who had a safe-conduct, on 5 February 1362-63, to pass through England to Prussia, and in the following December, and on 13 October 1366, he had other safe-conducts, in the last of which he is styled '*miles*.' The exact date of his death is not known, but he was dead some time before 16 April 1369.[8]

[1] *Exch. Rolls*, i. 215. [2] Cf. *Ibid.*, ii. p. cxxiv. [3] Fordun à Goodall, ii. 348. [4] But see *Family of Seton*, i. 90, 91; and a writ of 1341 in *Reg. de Panmure*, ii. 164, 165. It may be noted that Sir William Seton of Seton in 1402 styles David Fleming of Biggar his brother. Writ dated 14 May 1402 in Wigton Charter-chest, copy in H.M. Gen. Reg. Ho. [5] *Reg. de Panmure*, ii. 230. [6] *Ibid.*, 178, 228-230. [7] *Ibid.*, ii. 222. [8] *Reg. Mag. Sig.*, folio vol. 64, No. 209.

He married Jean, or Janet, daughter of Sir Edward Keith of Synton, and of Christian Menteith, second daughter of Sir John Menteith of Arran and Ellen of Mar, and by her had one daughter *Margaret*. Janet Keith, or Barclay, married, secondly, before 16 April 1369, Sir Thomas Erskine, son of Sir Robert Erskine, who had married her mother, Christian Menteith. On the date named, King David II. granted certain lands in Stirlingshire to Sir Thomas Erskine and Jean Barclay his wife. Sir Thomas died in 1405, and was survived by his wife till about 1413.[1] Sir Robert Douglas in his *Peerage* of 1764 gives the Erskine pedigree correctly, and the confusion which has arisen since is caused by overlooking the fact that Jean Keith, widow of Sir David Barclay, and Jean Barclay, who married Sir Thomas Erskine, were one and the same person, she having, as did her mother and various other ladies of that period, retained the name of her first husband when she married again. Her identity is proved by a witness who, in 1437, declared on oath that he had been from his youth in the household of Sir Thomas Erskine and his wife, and he speaks of her as the mother of the Countess of Atholl, and therefore the widow of Sir David Barclay of Brechin.[2] The daughter of Sir David,

Margaret, Lady of Brechin, appears at first as in the charge of Sir Thomas Erskine, and doubtless of her mother, and probably remained there until her marriage, some time before 19 October 1378, to Walter Stewart, the second son of King Robert II., by his second wife, Euphemia Ross, and in her right he became Lord of Brechin. (*See also* vol. i. p. 438.) She predeceased her husband, by whose forfeiture, in 1437, the lordship passed into the hands of the Crown, in default of the heir of line, Sir Thomas Maule of Panmure, though his heirs acquired their ancient inheritance again by purchase in 1634.[3] (*See title* Panmure.)

ARMS.—Or three piles gules.

[J. A.]

[1] *Exch. Rolls*, iv. 260. [2] *Reg. de Panmure*, ii. 230; Mar Peerage Minutes, 513, Pedigree by George Erskine, 1709. [3] *Reg. de Panmure*, i. p. xl.; ii. 224-226.

Buccleuch

SCOTT, DUKE OF BUCCLEUCH

RICHARD LE SCOT of Rankilburn, and Murthockston, appears among the barons of Scotland who swore fealty to King Edward I. of England 1296. He is the first ancestor of this family of whom there is definite record, and is styled in the Homage Roll as 'of Murthoxton' or Murthockstoun, now Murdiestoun, in the county of Lanark, which he is traditionally said to have acquired by his marriage with the daughter and heir of Murthockstoun of that Ilk. But he had also lands in Selkirkshire, which were restored to him in September 1296.[1] He is said to have died about 1320.[2] His next successor on record was

ROBERT SCOTT of Rankilburn and Murthockston, who died before 7 December 1389, and was succeeded by his son,

SIR WALTER SCOTT of Rankilburn and Murthockston, a gallant and brave man, who performed many signal actions

[1] *Cal. Docs. Scot.*, ii. 198, and No. 832. [2] Fraser's *Scotts of Buccleuch*, i. 10. On this work this article is chiefly based, and it is tacitly referred to when no other authority is mentioned specifically. In it, however, Richard le Scot is said to have died in 1320, and to be succeeded by a Michael. But of this last there is no evidence, while Michael Scot was then the laird of Balwearie in Fife. Richard Scott may have lived beyond 1320, and his successor may have died some years before 1389.

for the service of the Crown. He had from King Robert II., with consent of his eldest son John, Earl of Carrick, a charter dated 7 December 1389 of the superiority of the barony of Kirkurd.[1] In 1398 he was one of those principal persons on the Borders who were bound to keep the peace of the Marches. He was killed at the battle of Homildon Hill, 11 September 1402, and was succeeded by his son,

ROBERT SCOTT of Rankilburn and Murthockstoun, who confirmed a charter, dated at Murthockstoun 18 February 1406-7, by his vassal Thomas Fraser. He excambed the lands of Glenkery with the monks of Melrose for the lands of Bellenden, 28 May 1415, reserving the right to hunt and fish.[2] He acquired part of the lands of Branxholm, so long associated with his family. He resigned the lands of Lempidlaw in favour of his son Walter 1426, in which year he died. He had two sons:—

1. WALTER, who succeeded.
2. *Stephen* of Castlelaw, who acquired in 1448, from John Burel of Eckford, the granter's lands of Burellands, in the barony of Eckford.[3]

SIR WALTER SCOTT of Buccleuch. He obtained from King James I. a grant of the Mains of Eckford, in the county of Roxburgh, as a reward for his capture of Gilbert of Rutherford, a noted reiver, which grant was completed by King James II., by charter dated at Stirling 3 May 1437.[4] He exchanged his lands of Murdiestoun in 1446, with Thomas Inglis of Manor, for half of the lands of Branxholme, of which he already possessed the other half. Tradition imputes the exchange to a conversation betwixt Scott and Inglis, who complained much of the injuries he was exposed to from the English Borderers, who frequently plundered his lands of Branxholm. Scott instantly offered him the estate of Murdiestoun by way of excambion; when the bargáin was completed, he drily observed that the Cumberland cattle were as good as those of Teviotdale, and proceeded to commence a system of reprisals upon the English which was regularly pursued by his successors. He was one of the conservators of truces with England

[1] Fraser's *Scotts of Buccleuch*, ii. 15. [2] *Liber de Melros*, ii. 547. [3] *Scotts of Buccleuch*, ii. 37. [4] *Ibid.*, 30.

1449, 1451, 1453, 1457, and 1459. He exerted himself actively in suppressing the rebellion of the Douglases in 1455, and rose high on the ruin of that powerful family, obtaining from King James II. a grant of their lands of Abington, Phareholme and Glendonanrig, by charter dated 22 February 1458-59.[1] He and his son Sir David also had from King James II. a grant of the remaining half of the lands of Branxholm to be held blench for payment of a red rose at the feast of St. John the Baptist.[2] They likewise had part of the barony of Langholm in Dumfriesshire conferred on them. He was present in Parliament at Edinburgh in 1464,[3] and died before 9 February 1469.

He married Margaret Cockburn (living 1463) of Henderland, and had three sons:—

1. DAVID, his heir.
2. *Alexander* of Abington and Howpasley, who died before 21 May 1488. He had two sons, *Walter* of Howpasley,[4] and *Adam*, both named in the charter of 21 May 1488 cited below.
3. *James* of Kirkurd, ancestor of the families of Hassendean, Burnhead, etc. His descendants, however, are not mentioned in the charter of 1488.

DAVID SCOTT of Buccleuch, the eldest son. He was concerned in most of the public transactions in the reign of King James III., was instrumental in suppressing insurrections on the Borders, and was a conservator of peace with England. He sat in Parliament in 1481 as David Scott of Kirkurd, and in the Parliament of 1487,[5] being then styled 'Dominus de Bucluche.' For his services at the battle of Blackness he received a charter from King James III. erecting the lands of Branxholm, Eckford, and others into the barony of Branxholm 21 May 1488.[6] He died in March 1491-92, and was buried in the church of the Holy Cross at Peebles. He had issue:—

1. *Walter*, his eldest son, contracted before 28 June 1465 to Katherine, daughter of John Lindsay of Covington. He died, *vitâ patris*, before 1471.

[1] *Reg. Mag. Sig.* [2] *Scotts of Buccleuch*, ii. 60. [3] *Acta Parl. Scot.*, ii. 84. [4] *Twelfth Rep. Hist. MSS.*, App. viii. 146, 147. [5] *Acta Parl. Scot.*, ii. 175. [6] *Scotts of Buccleuch*, ii. 89.

2. DAVID, of whom afterwards.
3. *Robert* of Allanhaugh, received from his father the lands of Whitchester in 1483, from whom the Scots of Scotstarvit trace their descent.
4. *William*, married in 1472, apparently died *s. p.*
5. *Janet*, married (contract dated November 1470), to Sir James Douglas, son and apparent heir of Sir William Douglas of Drumlanrig.[1]
6. *Margaret*, said to have been married to James Haig of Bemerside.[2]
7. —— married to John Lindsay, eldest son of John Lindsay of Covington.[3]
8. *Isabella*, married, first, before her father's death, to Sir Symon Carruthers of Mouswald; secondly, to John Murray of Falahill.[4]

DAVID SCOTT, younger of Buccleuch, second son, but after 1471 apparent heir, of David Scott of Buccleuch, died, *vitâ patris*, before 21 May 1488. He married, in 1472, Jane Douglas, daughter of George, fourth Earl of Angus,[5] and had a son:—

1. WALTER, of whom below.

SIR WALTER SCOTT of Buccleuch, Knight, son of David Scott, younger of Buccleuch, succeeded his grandfather, David Scott of Buccleuch, in 1492, when he was retoured heir in the lands of Branxholm.[6]

He died before 15 April 1504,[7] having married Elizabeth, daughter of Walter Kerr of Cessford, widow of Philip Rutherford, son and heir-apparent of James Rutherford of that Ilk. She survived Sir Walter until 19 October 1548, being burned to death in the tower of Catslack, which was fired by the English.[8] They had issue:—

1. WALTER, his heir.
2. *William* of Whitehope, who had a charter of the lands of Whitehope 17 July 1515 from James Douglas of Whitehope. His brother Sir Walter was served heir to him in 1523.

SIR WALTER SCOTT of Buccleuch, Knight, 'Wicked Wat'[9]

[1] *Scotts of Buccleuch*, ii. 69. [2] Cf. *Reg. Mag. Sig.*, 14th February 1489.
[3] *Scotts of Buccleuch*, i. 74. [4] *Acta Dom. Conc.*, viii. f. 89; xvii. f. 177.
[5] *Ibid.*, 71. [6] *Ibid.*, 95-97. [7] *Ibid.*, 106. [8] *Ibid.*, 187. [9] Satchel's *History*, 48.

succeeded his father. He was probably knighted at the battle of Flodden, at which he fought 9 September 1513, and where he lost many of his kinsmen. He was retoured heir to his father 27 October 1517, and was appointed in 1519 by Robert, Abbot of Melrose, bailie of the Abbey lands. This was shortly afterwards made hereditary, and confirmed by a charter under the seal of the papal Penitentiary, dated Rome, 17 May 1525. He was warded in Edinburgh in 1524 on account of a dispute with the Queen-Dowager of James IV. regarding her dower lands in Ettrick forest, but he escaped the same year and associated himself with the party of the Earls of Angus and Lennox. He received letters of pardon under the Privy Seal, 9 May 1526, for an attempt to capture the Earl of Arran. During the same year he was defeated, on the 25 July, at Darnick near Melrose, by the Earl of Angus, in an attempt to free the young King James V. from the Douglas faction. For this he was exiled under a penalty of £10,000 Scots. Letters of remission were granted 3 December 1527, and he was made principal cupbearer.[1] He received a pardon under the Great Seal 10 February 1527-28, and by Act of Parliament 5 September 1528. In October 1532 the Earl of Northumberland burned Branxholm Tower, and Buccleuch retaliated by a formidable raid into England. In 1535 he was accused of assisting Lord Dacre and warded in Edinburgh, 19 April 1535, at the King's will, but was released before 13 May 1536,[2] though again imprisoned in 1540. He opposed the marriage of the infant Queen Mary to Prince Edward of England, and mutual raids resulted. He was made, in 1543, Keeper of Newark Castle for nineteen years, and fought at the battle of Pinkie 10 September 1547. He submitted to Edward VI. of England with consent of the Governor Arran in that year, but in 1548 the English took and burned Newark, and a feud began with the Kerrs. In 1550 he was made Warden of the middle Marches, and in 1551 Warden and Justiciar of Liddesdale. He was killed on 4 October 1552 by the Kerrs, who attacked him in the High Street of Edinburgh, and ran him through with swords.[3] He married, first, before 4 September 1523,

[1] Buccleuch Charter-Room. [2] *Hamilton Papers*, ii. 740. [3] *Scotts of Buccleuch*, i. 65-125.

Elizabeth Carmichael, a daughter of the family of that Ilk,[1] who died before 1530, with issue, two sons:—

1. *David*, to whom his father conveyed the lands and baronies of Branxholm, Rankilburn, Eckford, and Kirkurd, 20 October 1528. He died, *vitâ patris*, before 1544, unmarried.
2. Sir William Scott of Kirkurd, of whom afterwards.

He married, secondly (contract dated January 1529-30), Janet, daughter of Andrew Kerr of Fernihirst, widow of George Turnbull of Bedrule,[2] and had no issue. They were divorced, and she was living in 1555. He married, thirdly, before June 1544, at the instance of Cardinal Betoun,[3] Janet, daughter of John Betoun of Creich, widow of Sir James Crichton of Cranston Riddel and divorced wife of Simon Preston of Craigmillar, who survived him. She marched at the head of two hundred men to the Kirk of St. Mary of the Lowes, breaking its doors open to seize the Laird of Cranstoun. Later, she favoured the alliance of Bothwell and Queen Mary, and was said to have influenced them by witchcraft.[4] She died January 1568-69, leaving issue:—

3. *Walter*. 4. *David*.
5. *Grisel*, married to William, seventh Lord Borthwick, with whom she lived unhappily. She was accused of an intrigue with Walter Scott of Tushielaw 15 January 1579-80, but 'the assyse was desert.'[5] She married, secondly, Walter Cairncross in Lugatt, son of John Cairncross of Colmslie, before 1593.[6]
6. *Janet* (contracted 1564-65 to George Kerr, younger of Fawdonside), married to John Cranstoun of that Ilk. She was the wife of Robert Scot of Haining in 1580.[7]
7. *Margaret*, probably the wife of Robert Scott of Thirlstane.[8] She was accused of an intrigue with William, Lord Borthwick, and was cited before the Justices. Thomas Borthwick of Midilton was 'amerciated' for her non-appearance 15 January 1579-80.[9]

He had also a natural son, Walter Scott of Goldielands, who led the Scotts during the minority of Buccleuch.[10]

[1] *Scotts of Buccleuch*, ii. 140. [2] *Ibid.*, 156-157. [3] *Hamilton Papers*, ii. 640. [4] Buchanan's *Detection*, 151. [5] Pitcairn's *Criminal Trials*, i. 84. [6] *Laing Charters*, 1256. [7] *Reg. of Deeds*, xix. f. 401. [8] Cf. M'Call's *Some Old Families*, 189-190. [9] Pitcairn's *Criminal Trials*, i. 84. [10] *Scotts of Buccleuch*, i. 177.

Sir William Scott of Kirkurd, Knight, younger of Buccleuch, eldest surviving son of Sir Walter Scott by his first wife. He early took part with his father in the Border forays, and was present at the battle of Pinkie. He entered in 1549 into a bond of manrent with Mary of Lorraine, the Queen Regent.[1] He died, *vitâ patris*, shortly before 19 May 1552, having married Grisel, second daughter of John Betoun of Creich, sister of Dame Janet Betoun, his father's third wife. She survived him, marrying, secondly, Sir Andrew Murray of Blackbarony. He had issue:—

1. Walter, succeeded his grandfather.
2. *Janet*, married, as second wife, to Sir Thomas Kerr of Fernihirst, who died in 1586, with issue.
3. *Margaret*, married (contract 7 August 1568) to Sir John Johnstone of that Ilk, and had issue. (*See Annandale.*) She was buried 1 February 1618.[2]
4. *Elizabeth* (contracted 22 March 1564-65 to Thomas Kerr, second son of Sir Walter Kerr of Cessford, which contract was apparently not carried out), married to John Carmichael of Meadowflat.

Sir Walter Scott, Knight, of Branxholme and Buccleuch, succeeded his grandfather, Sir Walter Scott, in 1552. Born 1549, 'a man of rare qualities, wise, true, stout, and modest.'[3] To end the feud with the Kerrs several marriages were arranged in 1564. A feud with the Elliots broke out in that year also, resulting in mutual raids.

He was made captain of the Castle of Newark for nineteen years by Queen Mary, 24 March 1565-66,[4] and supported the Queen with a force of over three thousand men. He laid waste the English Border, for which he suffered in 1570, when the English army invaded Scotland, blowing up Branxholm Castle, which Buccleuch had relinquished. He took part in the plot to capture the Regent Lennox, and was imprisoned, but soon set at liberty. He rebuilt Branxholm in 1571, and died there, aged twenty-five, 17 April 1574. He married, at a very early age (contract dated 19 January 1567-68),[5] Margaret Douglas, daughter of David, seventh Earl of Angus. She survived him, and married,

[1] *Scotts of Buccleuch*, ii. 195. [2] Canongate Register. [3] Sir James Melville's *Memoirs*. [4] *Scotts of Buccleuch*, ii. 220. [5] *Acts and Decreets*, xlii. f. 22.

secondly, Francis Stewart, Earl of Bothwell. Dying in 1640, she was buried at Eckford. By her he had issue:—

1. WALTER, who succeeded.
2. *Margaret*, usually said to be married to Robert Scott of Thirlestane, but this is doubtful.[1]
3. *Mary*, married to William Elliot of Lariston, with issue.

I. SIR WALTER SCOTT of Buccleuch, Knight, succeeded his father as Laird of Buccleuch in 1574. He was born in 1565, retoured heir to his father 3 July 1574. He became known as the 'Bold Buccleuch,' and took part in every Border raid of his time.[2]

He was for some turbulence warded in Blackness, but escaped, and received from King James VI. letters of remission, 3 March 1582-83. In 1587 he took part in a raid against England, for which he was warded in Edinburgh Castle, but soon released. He was knighted in 1590 at the coronation of Queen Anne. He received letters of pardon from the King, September 1591, for 'intercommuning' with Francis, Earl of Bothwell, his stepfather, and on the 4 September a licence to permit him to go to France, where he remained until 1593. On 1 October 1594 he received a charter under the Great Seal of the lands and barony of Hailes, Bothwell, Liddesdale, and others, part of forfeited estate of the Earl of Bothwell.

In 1596, at the head of eighty horsemen, he stormed the Castle of Carlisle, and released William Armstrong of Kinmont, known as 'Kinmont Willie,' a daring border reiver, who had been treacherously captured by Thomas Salkeld, and in defence of this action the King and Council were ready to go to war with England, until a second raid by Buccleuch occurred, when he was tried and found guilty, and warded with the English Master of the Ordnance at Berwick, Sir William Selby, and was afterwards received by Queen Elizabeth. In 1597 he made another raid into Tynedale, for which he was imprisoned in Edinburgh Castle, and eventually in England. On 14 November 1608, he, as Keeper of Liddesdale, received a letter of approval and indemnity from the King under the Great Seal.[3] In 1604 he commanded a body

[1] M'Call's *Some Old Families*, 188-190. [2] *Scotts of Buccleuch*, i. 162-241.
[3] *Reg. Mag. Sig.*

of troops in the Netherlands, under Prince Maurice of Nassau, where he fought until the truce of 1609. He was created a Lord of Parliament in Scotland by the title of LORD SCOTT OF BUCCLEUCH, 1606,[1] with remainder to his heirs-male, and appointed a member of the Privy Council 26 February 1611. He died 15 December 1611 at Branxholm, and was buried at Hawick. He married (contract dated at Halyden 1 October 1586) Margaret, daughter of Sir William Kerr of Cessford, with a tocher of 10,000 merks. She survived him, leaving issue:—

1. WALTER, Master of Buccleuch.
2. *Margaret*, married, first (contract dated 19 December 1614, and 30 January 1615), to James, sixth Lord Ross, who died in 1633, with issue; secondly, to Alexander, sixth Earl of Eglinton, 'Grey Steel,' without issue. She died, 5 October 1651, at Hull, where her second husband was imprisoned. She was buried in Dalkeith Church.[2]
3. *Elizabeth*, married (contract dated 22 November 1616), John, second Lord Cranstoun, without issue.
4. *Jean*, alive 21 September 1613.

He had also (apparently by Delia, daughter of Captain Thomas Butler in Holland) an illegitimate daughter, Jean Scott, educated by her brother. She was called 'Hollands Jean,' and was married, with a tocher of 8000 merks, to Robert Scott of Whitslaid.[3]

He had a natural son *John*, probably the John Scott, Provost of Crichton, who received from Earl Francis in 1643 a gift of 400 merks 'for advancing his fortoun.' He died in 1646, and the escheat of his bastardy was passed for behoof of the Earl.[4]

II. WALTER, second Lord Scott of Buccleuch,[5] first Earl of Buccleuch, succeeded his father. Retoured heir at Edinburgh 19 February 1612. In 1624 he had a narrow escape from assassination at the hands of the Elliots, with

[1] By commission to the Earl of Montrose, Viceroy in Scotland, whom failing to the Earl of Dunfermline, Chancellor, to create Sir Walter Scott Lord Scott of Buccleuch. The King's commission is dated 18 March 1606. [2] Balfour's *Annals*, iv. 352. [3] *Scots Brigade in Holland*, Scot. Hist. Soc., i. 262-266, 393; *Scotts of Buccleuch*, i. 242-272. [4] *Ibid.*, i. 271; *Memorials of the Montgomeries*, i. 261. [5] *Scotts of Buccleuch*, ii. 263.

whom he was at feud. He was created by King James VI., by letters patent under the Great Seal, dated at Newmarket 16 March 1619, EARL OF BUCCLEUCH, LORD SCOTT OF QUHITCHESTER AND ESKDAILL,[1] with remainder to his heirs-male. His profusion and hospitality embarrassed his estate, and in 1627 he entered the service of the States-General of Holland, in command of a contingent of men, and was present at the sieges of Bergen-op-Zoom and Maestricht.[2] He was, in 1631, recalled by a letter from King Charles I. who had need of his services, but returned to Maestricht in 1633, after visiting Scotland, and making a will, dated Morpeth, 12 January 1633. He died at London, on his way home from Holland, 20 November 1633, and was buried in St. Mary's Church, Hawick, seven months later. He married (contract dated 11 and 15 October 1616) Mary Hay, daughter of Francis, Earl of Errol. She had a tocher of 20,000 merks, and was constituted her husband's commissioner when he was in the Low Countries in 1627. She died in 1631 at Newark, having had issue:—

1. *Walter, Lord Scott*, born 13 November 1625, died in infancy.
2. FRANCIS, LORD SCOTT, who succeeded his father.
3. *David* of Cannobie, born at Newark Castle, 28 November 1627, died in July 1648, apparently in battle, unmarried.
4. *Elizabeth*, born November 1621, married, 1641, to John, Lord Erskine, afterwards Earl of Mar, and died *s. p.* before 23 July 1647.
5. *Jean*, born January 1629, married (contract dated 24 September 1644), with a tocher of 40,000 merks, to John, Master of Yester, afterwards first Marquess of Tweeddale, and had issue. She died November 1688.[3]
6. *Mary*, born 11 April 1631, died unmarried, before September 1644.

He had also many illegitimate children, of whom there were:—

1. *William Scott* of Mangerton, founder of that family.
2. *Francis Scott*, also of Mangerton (1629, before his brother); he died at Rotterdam, before January 1641.[4]

[1] *Scotts of Buccleuch*, ii. 263. [2] *Scots Brigade*, *ut sup.* [3] Funeral entry, Lyon Office. [4] Buccleuch Chamberlain Accounts.

3. *John Scott* (by Annas Drummond) of Gorrinberrie, which lands he obtained in 1629. He was legitimated by Cromwell on 8 February 1656.[1]
4. *Margaret Scott*, married (contract dated Newark, 31 August 1632) to John Pringle, son of Robert Pringle of Stitchell.
5. *Janet Scott*, married (a tocher of 4000 merks was given by her brother Earl Francis), in 1643, to Andrew Scott of Foulsheills.

III. Francis, second Earl of Buccleuch, succeeded his father, born 21 December 1626. His ward and marriage was granted by King Charles I. to the Earl of Stirling, but the widow of the latter, in 1642, gave up her rights on payment of 25,000 merks. He was a student of St. Andrews in 1636, under the care of Mr. Robert Learmonth, advocate, and in 1640 became a student of St. Leonard's College there, remaining until 1642, being present, however, at the Parliament held by King Charles I. in 1641. He purchased the lordship of Dalkeith from the Earl of Morton in 1642.

In 1647 the protracted litigation with the heirs of Francis, Earl of Bothwell, was brought to an end, and he received a charter under the Great Seal of the lordship of Liddesdale. In 1647 he was also made Sheriff-Principal of Selkirkshire. He joined the Covenanters, and formed one of the committee which controlled the movements of the army which advanced upon England, and his regiment took part in the storming of Newcastle. In 1643 he lent 9000 merks to the Committee of Estates. He was in 1649 present at the Parliament held in Edinburgh which repealed all the Acts of the 'Engagement.' He was appointed a commissioner to congratulate King Charles II. on his 'happy arrival' in Scotland in 1650. He remained in Scotland as a member of the Committee of Estates, and in 1651 retired for safety to Dundee.

In 1650 his castles of Newark and Dalkeith were taken possession of by Cromwell, his muniments removed for safety to the Bass Rock, and his wife and family to Sheriff-

[1] *Reg. Mag. Sig.*

hall. He executed a bond of tailzie 14 June 1650,[1] and assigned his honours and estates into the hands of the Barons of Exchequer for new infeftment in favour of himself and the heirs-male of his body, whom failing, the heirs-female of his sister Jean. In the event of an heir-female succeeding, it was provided that her husband should either bear the name of Scott or assume it under pain of forfeiture of the estates. He died, aged twenty-five, at Dalkeith, 22 November 1651, and was buried in the church there. It is said he 'from his very youth gave testimony of his love to religion, and that he was uprightly affected for the maintenance of it, and of the privileges and liberties of his country.'[2] Satchells says—

> 'Earl Francis his father Earl Walter did succeed,
> Into his earldom but not to his head;
> Yet he wanted neither hand, head, nor heart,
> But could not act like to his father's part.'[3]

He married (contract dated 25 July 1646) Margaret Leslie, second daughter of John, sixth Earl of Rothes, and relict of Alexander, Lord Balgonie, eldest son of Alexander, first Earl of Leven. She married again at Sheriffhall, 13 January 1653, as third wife, David, second Earl of Wemyss, and died in February 1688, leaving issue:—

1. *Walter, Lord Scott*, born at Dalkeith 5 November 1648, died in infancy.
2. Mary, who succeeded her father as Countess of Buccleuch.
3. *Margaret*, born at Dalkeith 5 March 1650, and died there in 1652.
4. Anna, succeeded her sister as Countess of Buccleuch.

IV. Mary Scott, Countess of Buccleuch, who succeeded her father according to the entail of 1650, was born[4] 31 August 1647. During her minority her house of Dalkeith was occupied by General Monck, Commander-in-chief in Scotland. For her father's support of King Charles II. she was fined by Cromwell £15,000, afterwards commuted to £7000, and then to £6000. At a very early age her marriage was the object of numerous intrigues, but by her mother's

[1] Recorded in the Books of Council and Session 24 June 1650.
[2] Lord Lothian's Memorials, MS. [3] Satchell's *History of the name of Scot*, 49. [4] *Scotts of Buccleuch*, i. 320-384.

arrangement she was married in secrecy without proclamation, being then eleven years old, in the Parish Church of Wemyss, 9 February 1659, to Walter Scott, eldest son of Sir Gideon Scott of Highchester, who was under the age of fourteen. An action for reduction of the marriage was brought by some of the Countess's tutors, the bride was placed under the guardianship of General Monck, in Dalkeith, and the marriage dissolved by the Commissary on 20 April 1659; but on the completion of her legal age the Countess solemnly ratified her marriage, 2 September 1659. The Countess fell ill and was 'touched' by King Charles II. in 1660, and her husband was created Earl of Tarras, Lord Alemoor and Campcastell, for his life only, by patent, dated at Whitehall 4 September 1660. She died, in her fourteenth year, at Wester Wemyss, 11 March 1661, and was buried at Dalkeith. Her husband was involved in the Jerviswoode plots in 1683, tried, found guilty, and forfeited, but was reinstated in his honours 28 June 1687. He married, secondly, 31 December 1677, Helen, daughter of Thomas Hepburn of Humbie, and died 9 April 1693, being ancestor by his second marriage of Lord Polwarth.

V. Anna, Duchess of Buccleuch and Monmouth, succeeded her sister in 1661, as Countess of Buccleuch. She was born at Dundee 11 February 1651. She, as the greatest heiress in Scotland, was married, at the age of twelve, at London, 20 April 1663, to James, Duke of Monmouth, Earl of Doncaster, and Baron Scott of Tindall, who had already assumed the surname of Scott, natural son of King Charles II., and he was on the same day created DUKE OF BUCCLEUCH, EARL OF DALKEITH, and LORD SCOTT OF WHITCHESTER AND ESKDAILL, with limitation to the heirs-male of the marriage, whom failing, to the heirs whomsoever of her body, succeeding to the estates and earldom of Buccleuch. In 1666 the Duke and Duchess resigned their honours and estates into the hands of the Crown, and obtained a new grant vesting the title of Duke of Buccleuch, Earl of Dalkeith, and Earl of Buccleuch, in the Duke of Monmouth, and the title of Duchess of Buccleuch, Countess of Dalkeith, and Countess of Buccleuch, etc., in the Duchess, conjunctly and severally, and inde-

pendently of each other in the event of death, forfeiture, etc.[1] After the marriage she resided at the Court of Charles II., where she is described as 'one of the wittiest and craftiest of her sex, and has much wit.'[2] The Duke of Monmouth was appointed Captain-general of the Forces and sent to quell the insurrection in Scotland in 1679, and commanded at Bothwell Brig 22 June 1679. He was later removed from his office of Commander-in-chief, and commenced intriguing against his uncle, the Duke of York, the heir to the Crown. He retired to Holland in 1684, and was there when his father, Charles II., died. Asserting that his mother, Lucy Walters, 'Mrs. Barlow,' who was daughter of William Walters of Haverfordwest, and Elizabeth Protheroe his wife, had been married, before his birth, at Rotterdam, 9 April 1649, to the King, his father, he landed at Lyme Regis on 11 June 1685, and, with about eighty followers, declared himself to have come to preserve the Protestant religion and the rights of the people from popery and arbitrary power, and that he had a claim to the Crown.

His claim arose from the belief that there had been a ceremony of marriage between his father and mother, performed in Holland about 1648, and perhaps supported by the fact that the King's sister, Mary, Princess of Orange, wrote of her as 'your wife' to the King so late as 1655. She, however, had died at Paris in 1658, and on the rumour growing to a height King Charles had solemnly denied twice in Council that any such marriage had taken place.[3] The story was, however, still believed by a section of the public, and Monmouth's Protestant leanings gained him many adherents from the party opposed to James II. and the Catholics.

He marched to Taunton, and having then about six thousand followers, was proclaimed King there, 20 June 1685, but was defeated by the army of King James II. at Sedgemoor, 6 July, taken prisoner next day, and executed on Tower Hill on the 15 July 1685. He was attainted by Act of Parliament, and all his titles forfeited.

[1] *Scotts of Buccleuch*, i. 417. [2] Evelyn's *Diary*, ii. 379. [3] 6 January and 3 March 1679; *see* Somers *Tracts*, viii. 187-189. Monmouth's recantation is in the Bodleian Library, Oxford.

The Duchess, whose titles were not affected by her husband's attainder, resigned them into the hands of the Crown, and obtained a new grant by a charter under the Great Seal, 17 November 1687, of the title of Duchess of Buccleuch and her other honours to herself, and after her death to James, Earl of Dalkeith, and his heirs-male, which was ratified by Act of Parliament 15 June 1693. The Duke of Monmouth's heirs were rehabilitated by Act of Parliament 4 July 1690. The Duchess married, secondly, at St. Martin's-in-the-Fields, 6 May 1688,[1] Charles, third Baron Cornwallis, who died 29 April 1693. She, who was the friend of the poets Dryden and Gay, resided during her latter years at Dalkeith, which she rebuilt and beautified, and where she kept princely state. She died there, aged eighty-one, 6 February 1732, and was buried at Dalkeith.

By James, Duke of Monmouth, her first husband, she had issue:—

1. *Charles*, Earl of Doncaster, born 24 August 1672, died 9 February 1673-74, and was buried in Westminster Abbey.
2. JAMES, Earl of Dalkeith (*see below*), predeceased his mother.
3. *Henry*, born in 1676; created EARL OF DELORAINE 29 March 1706. (*See that title.*)
4. *Francis Scott*, born 1678, and buried in Westminster Abbey 8 December 1679.
5. *Charlotte*, buried there 5 September 1683.
6. *Anne*, born 17 February 1675-76; died in the Tower of London 13 August 1685, and was privately buried in Monmouth's vault in Westminster Abbey.

By her second husband, Lord Cornwallis, the Duchess had issue, who also bore the surname of Scott:—

7. *George Scott*, born 23 September 1692, died 27 May 1693, and was buried in Westminster Abbey.
8. *Anne*, died 25 July 1690, and was buried there.
9. *Isabella*, died in London 18 February 1747-48, unmarried.

James, Duke of Monmouth, Duke of Buccleuch, had, by Elinor, daughter of Sir Robert Needham of Lambeth, Knight, the following illegitimate children:—

[1] *Complete Peerage.*

1. *Major-General James Crofts*, who received a grant of arms[1] 25 July 1709, 'Gules a bend crenellée or, between two bucks' heads caboshed argent, attired of the second.' He died in March 1732.
2. *Henry Crofts*, commander of H.M.S. *Gosport*, 1702,[2] died unmarried.
3. *Isabella Crofts*, died young.
4. *Henrietta Crofts*, married in 1697, as third wife, to Charles Poulett, second Duke of Bolton, and dying 27 February 1729-30, left issue.

JAMES, Earl of Dalkeith, eldest surviving son of Duchess Anna, was born 23 May 1674. In July or August 1692 he was proclaimed King at Sanquhar Cross by a band of 'thirty or forty wyld people,'[3] but no trouble ensued beyond the leader, Robert Hamilton, being sent to the Haddington Tolbooth. He predeceased his mother, and died in Albemarle Street, London, 14 March 1704-5, and was buried in King Henry VII.'s Chapel in Westminster Abbey. He married, 2 January 1693-94,[4] Henrietta Hyde, eldest daughter of Lawrence, Earl of Rochester. She died 30 May 1730, and was buried in Westminster Abbey. They had issue:—

1. FRANCIS, succeeded his grandmother as Duke of Buccleuch.
2. *Charles*, born March and died 4 April 1700; buried in Westminster Abbey.
3. *James*, born 14 January 1702, at the Cockpit, Whitehall; died 26 February 1719, and buried beside his brother.
4. *Henry*, born 26 November 1704, died young.
5. *Anne*, born 1 April 1696, died 11 October 1714, unmarried; buried in Westminster Abbey.
6. *Charlotte*, born 30 April 1697, died, unmarried, at Pall Mall, London, 22 August 1747, and was buried at Dalkeith.

VI. FRANCIS, second Duke of Buccleuch, born 11 January 1694-95, succeeded his grandmother.[5] He was made K.T. in

[1] Allan Fea's *King Monmouth*, 361 *n*. The statement in that book that Monmouth 'undoubtedly left a son' by Henrietta, Lady Wentworth, is still without real proof. [2] *Her. and Genealogist*, v. 26. [3] Ms. of David Scrimseour of Cartmore, Buccleuch Charter-chest. [4] *Scotts of Buccleuch*, i. 484. The pedigree on p. 555 gives the date 1793. [5] *Ibid.*, i. 484-486.

February 1725, and elected a Representative Peer in 1734. On the 23 March 1743 he was restored by Act of Parliament to the titles of EARL OF DONCASTER and BARON SCOT OF TINDAL, which had belonged to his grandfather, the Duke of Monmouth, with the same precedence. He called out his tenantry in 1745 to assist the citizens of Edinburgh against Prince Charles Edward Stuart, who, however, spent two nights in his house at Dalkeith. The Duke died 22 April 1751, and was buried at Eton, having married, first, 5 April 1720, Jane Douglas, eldest daughter of James, second Duke of Queensberry, through whom that title eventually came to the Buccleuch family. She died, at Langley, 31 August 1729. He married, secondly, at St. George's, Mayfair, 4 September 1744, Mrs. Alice Powell, of the parish of St. James, Westminster, daughter of Mr. Joseph Powell; she died 13 December 1765, aged sixty-three, and was buried at Wandsworth.[1] By his first wife he had issue:—

1. FRANCIS, Earl of Dalkeith. (*See below.*)
2. *Charles Scott*, born 14 February 1727. He died, unmarried, at Christ Church, Oxford, 18 June 1747, having acquired the estate of Bowhill the year previously.
3. *Jane*, born 3 April 1723, died 26 November 1779, buried in Dalkeith church.
4. *Anne*, born 13 November 1724; died, at London, 15 July 1737, buried at Hillingden.
5. *Mary*, born 31 October 1725, died 20 May 1743, and was buried at Hurley.

FRANCIS, Earl of Dalkeith, eldest son of the second Duke, was born 19 February 1720-21,[2] and was educated at Oxford. He sat, in 1746-47, as M.P. for Boroughbridge. He died of small-pox, aged twenty-nine, at Adderbury, 1 April 1750, predeceasing his father. He married, 2 October 1742, Caroline Campbell, eldest daughter and co-heiress of John, Duke of Argyll and Greenwich, and god-daughter of Caroline of Anspach, Queen of George II. She, who was born

[1] *Proceedings of the Huguenot Society*, i. 275-301. Cf. Lady Louisa Stuart's Introduction to the *Journal of Lady Mary Coke*. [2] *Scotts of Buccleuch*, i. 487, 488.

17 November 1717, survived her husband and married, secondly, at Adderbury, 15 August 1755, the Right Hon. Charles Townshend, Chancellor of the Exchequer, brother of George, first Marquess Townshend.

She was created BARONESS GREENWICH in August 1767, with remainder to the male issue of her second marriage, but her sons predeceasing her, the title became extinct at her death, at Sudbrooke, 11 January 1794. Will proved 1 February 1794. He had issue:—

1. *John*, Lord Scott of Whitchester, born 14 January 1745, died 31 January 1749, and was buried at Dalkeith.
2. HENRY, succeeded his grandfather as third Duke of Buccleuch.
3. *Campbell Scott*, born 17 October 1747; died in Paris, unmarried, 18 October 1766, buried at Dalkeith.
4. *James*, born 1 March 1748, died 17 January 1758, buried at Dalkeith.
5. *Caroline*, born 1 October 1743, died 10 December 1753, at Adderbury.
6. *Frances*, born 26 July 1750; married, 13 May 1783, as second wife, to Archibald, first Lord Douglas of Douglas, and died, May 1817, having had issue.

IX. HENRY, third Duke of Buccleuch, and fifth of Queensberry,[1] succeeded his grandfather, Francis, second Duke of Buccleuch, in 1751, was born 13 September 1746. He was educated at Eton, and then travelled abroad accompanied by Dr. Adam Smith, author of *The Wealth of Nations*. He visited Scotland in 1767, and in 1783 was the first President of the Royal Society of Edinburgh. He was made Knight of the Thistle on 23 December 1767, and K.G. 28 May 1794. In 1778 he raised a regiment of Fencibles, which was called out during the anti-Catholic riots in Edinburgh in 1779. In 1794 he succeeded his mother in the estate of Caroline Park, and in 1810 on the death of William, fourth Duke of Queensberry he succeeded to that title under the limitation to the heirs-male of Lady Jane Douglas. He died at Dalkeith House, 11 January 1812, and was buried in Dalkeith church. He had married, 2 May 1767, Elizabeth Montagu, only surviving daughter and eventual heiress of

[1] *Scotts of Buccleuch*, i. 489-501; 501-510.

George, Duke of Montagu, Earl of Cardigan, by his wife, Mary, daughter and co-heiress of John, Duke of Montagu, and granddaughter of John, Duke of Marlborough. Through this marriage vast estates in England came to the Buccleuch family. The Duchess died at Richmond, 21 November 1827, aged eighty-four, having had issue:—

1. *George*, Earl of Dalkeith, born 25 March, died 29 May 1768, buried in Audley Chapel, London.
2. CHARLES WILLIAM HENRY, who succeeded his father.
3. *Henry James* Montagu, *Baron* MONTAGU OF BOUGHTON, succeeded to that title on the death of his grandfather, George, Duke of Montagu, born in London 16 December 1776. He acted as guardian to his nephew, the fifth Duke of Buccleuch, during his minority. He died in London 30 October 1845, and was buried at Stoke Pogis. He married, at Dalkeith House, 22 November 1804, Jane Margaret Douglas, eldest daughter of Archibald, first Lord Douglas of Douglas. She died at Ditton Park, 10 January 1859, and was buried beside her husband, having had four daughters:—
   (1) *Lucy Elizabeth* Montagu, born 14 November 1805, married, 4 December 1832, to Cospatrick Alexander, Earl of Home, and died 15 May 1877, leaving issue.
   (2) *Mary Margaret* Montagu, married, 9 July 1840, to Lieut.-Colonel Frederick Clinton, and died on 30 June 1885, leaving issue.
   (3) *Jane Caroline* Montagu, died unmarried 16 June 1846.
   (4) *Caroline Georgina* Montagu, married, 5 March 1836, to George William Hope of Luffness, and died 5 December 1891, leaving issue.
4. *Mary*, born in London 21 May 1769, married, at London, 29 January 1791, to James George, Viscount Stopford, afterwards third Earl of Courtown, and died 21 April 1823, leaving issue.
5. *Elizabeth*, born in London 10 October 1770, married, at Dalkeith House, 9 November 1798, to Alexander, tenth Earl of Home, and died 29 June 1837 at Hirsel, leaving issue.
6. *Caroline*, born in London 6 July 1774, married, at Richmond, 13 August 1803, to Sir Charles Douglas of Kelhead, Baronet, afterwards sixth Marquess of Queensberry. She died 29 April 1854, leaving issue.

7. *Harriet*, born in London 1 December 1780, married, at Dalkeith House, 1 December 1806 (as his second wife), to William, Earl of Ancram, afterwards sixth Marquess of Lothian, and died 18 April 1833, leaving issue.

X. Charles William Henry, fourth Duke of Buccleuch, and sixth Duke of Queensberry, K.T., succeeded his father, born at London 24 May 1772. He was educated at Eton, and sat as M.P. for Marlborough 1793 and 1806, for Luggershall 1796, and St. Michael's in 1805. He was summoned to the House of Peers by a writ under the Great Seal of England, 11 April 1807, as Baron Tynedale. He died at Lisbon 20 April 1819, and was buried at Warkton. He and his Duchess are best known as the friends of Sir Walter Scott, who dedicated to the Duke *The Lay of the Last Minstrel*, and as the kindly patrons of James Hogg, the 'Ettrick Shepherd.' He married in London, 23 March 1795, Harriet Katherine Townshend, fourth daughter of Thomas, first Viscount Sydney. She died at Dalkeith House 24 August 1814, and was buried at Warkton, and had issue:—

1. *George Henry*, Lord Scott, born at Dalkeith House 2 January 1798; died, while a schoolboy at Eton, at Montagu House, 1 March 1808, and was buried at Warkton.
2. Walter Francis, succeeded his father.
3. *John Douglas Scott*, born at Dalkeith House 13 July 1809; M.P. for Roxburgh 1832. He died at Cawston Lodge, Rugby, 3 January 1860, without issue. He married, 10 March 1836, Alicia Anne, elder daughter of John Spottiswoode of Spottiswoode, the author of 'Annie Laurie' and many well-known Scottish songs, who died at Spottiswoode 12 March 1900.
4. *Anne Elizabeth*, born at Richmond 17 August 1796, died unmarried, at Leamington, 13 August 1844, and was buried at Warkton.
5. *Charlotte Albinia*, born at Dalkeith House 16 July 1799, married, at London, 4 July 1822, to James Thomas, fourth Earl of Courtown. She died at Rome 29 February 1828, having had issue.
6. *Isabella Mary*, born at Dalkeith House 24 October

1800, married, at Ditton, 9 October 1823, to the Hon. Perigrine Francis Cust. She died at Richmond 9 October 1829, having had issue.

7. *Katherine Frances*, born at Dalkeith House 4 December 1803, died at London 6 June 1814, and was buried at Warkton.
8. *Margaret Harriet*, born at Dalkeith House 12 June 1811, married, at London, 7 February 1832, to Charles, Viscount Marsham, afterwards third Earl of Romney, and died at London 5 June 1846, having had issue.
9. *Harriet Janet Sarah*, born at Dalkeith House 13 August 1814, married, at London, 29 March 1842, to Rev. Edward Moore, Vicar of Frittenden, Hon. Canon of Canterbury Cathedral. She died 17 February 1870, and was buried at Frittenden, having had issue.

XI. Walter Francis, fifth Duke of Buccleuch and seventh Duke of Queensberry, K.G., succeeded his father. He was born at Dalkeith House 25 November 1806, educated at Eton and St. John's College, Cambridge. In 1822 King George IV., during his visit to Scotland, visited Dalkeith House as the Duke's guest. He was made Lord-Lieutenant of Midlothian in 1828, and of Roxburgh in 1841. He was made Captain-General of the Royal Company of Archers in 1838, and received Queen Victoria at Dalkeith House in 1842. He built the harbour of Granton in 1835, was nominated a Privy Councillor in 1842, and Lord Privy Seal in 1842-46, and in that year was Lord President of the Council. He was made D.C.L. of Oxford 1834, LL.D. of Cambridge 1842, and of Edinburgh 1874, and Chancellor of the University of Glasgow. He died at Bowhill 16 April 1884, after a long, active, and useful public life, and was buried at St. Mary's Chapel, Dalkeith. He married at St. George's, Hanover Square, London, 13 August 1829, Charlotte Anne Thynne, youngest daughter of Thomas, second Marquess of Bath, Mistress of the Robes to Queen Victoria. She died at Ditton Park, aged eighty-four, 28 March 1895, and was buried at St. Mary's Catholic Church, Dalkeith, having had issue:—

1. William Henry Walter, succeeded his father.

2. *Henry John* Montagu Douglas Scott Montagu, created, 29 December 1885, a Peer of the United Kingdom, as Baron Montagu of Beaulieu, with remainder to the heirs-male of his body, born at Dalkeith House 5 November 1832, M.P. for Selkirkshire 1861-68, South Hants 1868-84, married, in Westminster Abbey, 1 August 1865, Cicely Susan Stuart Wortley Mackenzie, youngest daughter of John, second Lord Wharncliffe, and had issue:—

   (1) *John Walter Edward* Scott Montagu, born at London 10 June 1866; M.P. New Forest, Hants; married, at London, 4 June 1889, Cecil Victoria Constance Kerr, eldest daughter of Schomberg Henry, ninth Marquess of Lothian. Issue:—
      i. *Helen Cecil*, born at Beaulieu 7 March 1890.

   (2) *Robert Henry* Scott Montagu, born at London 30 July 1867, married, 1904, Alice, widow of Oscar Davy-Davies, Esq.

   (3) *James Francis* Montagu Douglas Scott, born 6 February 1873, died at Hoburne 2 March 1874.

   (4) *Rachel Cecily*, born at London, 15 July 1868, married, at London, 3 June 1890, to Henry William Forster, M.P., with issue.

3. *Walter Charles* Montagu Douglas Scott, captain 15th Hussars, born at Dalkeith House 2 March 1834, died 3 March 1895; married, at Sutton Coldfield, 7 October 1858, Anna Maria, fourth daughter of Sir William Edmund Cradock Hartopp, Bart. She died, aged forty-nine, 29 May 1886, having had issue:—

   (1) *Francis Walter* Montagu Douglas Scott, born at London 5 March 1860, married, at London, 16 April 1896, Katherine Charlotte, youngest daughter of Melville Portal, and granddaughter of the Earl of Minto.

   (2) *Charles Henry* Montagu Douglas Scott, born at London 16 June 1862.

   (3) *Walter George Leon* Montagu Douglas Scott, born at London 12 October 1870, married, 31 May 1897, Ralouka, daughter of Colonel Warner Heriot, and granddaughter of Musurus Pasha.

   (4) *Evelyn Mary*, born at London 4 August 1865; married, 16 November 1898, to the Rev. Thomas Lane Coulson Bridges, Rector of Warkton.

4. *Francis Robert* Montagu Douglas Scott, born at Dalkeith 15 January 1837, died at Naples 7 May 1839.

5. *Charles Thomas* Scott, G.C.B., Admiral R.N., born at Montagu House 28 October 1839, married, at Sunbury,

Victoria, 23 February 1883, Ada Mary, daughter of Charles Ryan of Derriweit Heights, Mount Macedon, Victoria. Issue:—

(1) *Charles William* Montagu Douglas Scott, born at Springhill 17 April 1884.
(2) *David John* Montagu Douglas Scott, born at Chatham 7 March 1887.

6. *Victoria Alexandrina*, born at Dalkeith House 20 November 1844, married, first, at Dalkeith, 23 February 1865, to Lord Schomberg Henry Kerr, afterwards ninth Marquess of Lothian, and had issue; second, at St. Margaret's, Westminster, 21 February 1903, to Bertram Talbot, second son of John Gilbert Talbot of Falconhurst, Kent, M.P.
7. *Margaret Elizabeth*, born at Dalkeith House 10 October 1846, married, at Dalkeith, 9 December 1875, to Donald Cameron of Lochiel, M.P., Inverness-shire, 1868-85.
8. *Mary Charlotte*, born at Dalkeith House 6 August 1851, married, at London, 24 July 1877, to the Hon. Walter Randolph Trefusis, colonel Scots Guards, third son of Charles Rodolph, nineteenth Baron Clinton. He died 3 December 1885, leaving issue.

XII. William Henry Walter Montagu Douglas Scott, sixth Duke of Buccleuch and eighth Duke of Queensberry, K.G., born at Montagu House 9 September 1831, succeeded his father. He was educated at Eton, and Christ Church, Oxford, M.P. for Midlothian 1853-68 and 1874-80, Lord-Lieutenant of Dumfriesshire, D.L. for the counties of Selkirk and Roxburgh, Captain-General of the Royal Archers, made Privy Councillor 1901. He married, at London, 22 November 1859, Louisa Jane Hamilton, V.A., third daughter of James, third Duke of Abercorn, Mistress of the Robes to Queen Victoria and Queen Alexandra, and had issue:—

1. *Walter Henry* Montagu Douglas Scott, Lord Eskdaill, born at London 17 January 1861; died, from the results of a gun accident when deer-stalking near Achnacarry, 18 September 1886, and was buried at Dalkeith.
2. John Charles Montagu Douglas Scott, Earl of

Dalkeith, born at London 30 March 1864, lieutenant R.N., M.P. for Roxburghshire since 1895, Vice-Lieutenant of Selkirk and D.L. of Midlothian, Roxburgh, and Dumfries, married, at London, 30 January 1893, Margaret Alice Bridgeman, second daughter of George Cecil Orlando, fourth Earl of Bradford, and has issue:—

(1) *Walter John* Montagu Douglas Scott, Lord Whitchester, born at Dalkeith House 30 December 1894.
(2) *William Walter* Montagu Douglas Scott, born at London 17 January 1896.
(3) *Margaret Ida*, born at Dalkeith 13 November 1893. Her sponsors were her four great-grandmothers.
(4) *Sybil Anne*, born at Montagu House 14 July 1899.
(5) *Alice Christina*, born 25 December 1901.
(6) *Mary Theresa*, born at Montagu House, 4 March 1904.

3. *George William* Montagu Douglas Scott, captain 10th Hussars, served in the South African war, born at Bowhill 31 August 1866, married, at Belvoir, 30 April 1903, Elizabeth Emily Manners, youngest daughter of John, seventh Duke of Rutland, and has issue:—

Phyllis Anne, born at London 3 March 1904.

4. *Henry Francis* Montagu Douglas Scott, major Third Battalion of the Royal Scots (Lothian) regiment, served in the South African war, born at Bowhill 15 January 1868.
5. *Herbert Andrew* Montagu Douglas Scott, D.S.O., captain Irish Guards, served in the South African war, and planted the British Flag at Pretoria, A.D.C. to General Sir C. M. Clarke, Governor of Malta, born at London 30 November 1872.
6. *Francis George* Montagu Douglas Scott, Grenadier Guards, served in the South African war, born at Dalkeith 1 November 1879.
7. *Katharine Mary* Montagu Douglas Scott, born 25 March 1875, married, 29 April 1899, to Major the Hon. Thomas Brand, 10th Hussars, eldest son of the second Viscount Hampden, and has issue.
8. *Constance Anne* Montagu Douglas Scott, born 10 March 1877.

Creations.—1606, Lord Scott of Buccleuch; 16 March 1619, Earl of Buccleuch, Lord Scott of Quhitchester and Eskdaill; 20 April 1663, Duke of Buccleuch, Earl of Dalkeith, and Lord Scott of Whitchester and Eskdaill; the last-mentioned titles were re-granted 16 January 1666 to Anna, Duchess of Buccleuch and Monmouth, and her husband, James, Duke of Buccleuch and Monmouth, conjunctly and severally, and independently of each other—all in the Peerage of Scotland. 23 March 1743, Earl of Doncaster and Baron Scot of Tindal (a restoration), in the Peerage of England.

Arms.—The only arms recorded in the Lyon Register are those of Anna, Duchess of Buccleuch, in 1672:—Or, on a bend azure a star between two crescents of the first.

Crest.—A stag passant proper.

Supporters.—Two ladies richly attired in antique [style], with their hair hanging over their shoulders.

Motto.—*Amo.*

[A. F. S.]

COMYN, EARL OF BUCHAN

TRACT titled *De Situ Albaniæ*,[1] written in the twelfth century, but referring to the eighth, states that Scotland, north of the Firths of Forth and Clyde, was anciently divided into seven parts. The fifth division was Mar and Buchan, lying between the rivers Dee and Spey and embracing the modern counties of Aberdeen and Banff. The rulers of these provinces were styled mormaers, a title meaning great mayors or stewards, who were hereditary officers of the Crown.

In the reign of Alexander I., 1107-1124, the Monastery of Scone[2] was founded, and among the names of witnesses and consenting parties to the first charter are those of Rothri and Gartnach,[3] both of them followed by the word 'Comes.' It is otherwise known that Rothri was mormaer of Mar, and Gartnach mormaer of Buchan,[4] and it is inferred that before the twelfth century the fifth province had been divided into two separate portions, each having its own ruler. The genealogical history of the Earldom of Buchan therefore begins with

I. GARTNACH, who is the first person certainly known to

[1] *Chronicles of Picts and Scots*, 136. [2] Wyntoun, *Cronykil*, ed. 1872, ii. 175; *Liber Eccl. de Scon*, 1. [3] *Antiquities of Shires of Aberdeen and Banff*, iv. 691. [4] *Book of Deer*, 93.

have been both mormaer and Earl of Buchan. He is styled son of Cainneach (Kenneth). With him is associated in a charter his wife Ete, the daughter of Gillemichel, and as Gartnach may have become mormaer in right of his wife it is uncertain whether Cainnech or Gillemichel was the first mormaer of Buchan whose name has been preserved. Both Gartnach and his wife Ete were alive in 1132.[1]

II. EVA, daughter and heiress of Gartnach. She married COLBAN, who became mormaer and Earl in her right. They are commemorated by a grant of land in a deed executed at Helan (Ellon),[2] and witnessed by Cormac, abbot of the monastery of Turriff, and the nobles of Buchan.[3] Even at this early date the little mound of earth, afterwards called the Earlshill, which was the spot where the later Earls of Buchan received investiture, seems to have been the place where the head courts of the earldom were held, and where important business was transacted. There is a remnant of the hillock to be seen in a garden in Ellon.[4]

Earl Colban was one of the leaders of the expedition sent by King William the Lion into England in 1174,[5] and he appears as a witness to a charter by William the Lion to his brother, Earl David, of the Lennox and other territories, between 1178 and 1182.[6]

III. ROGER, who was doubtless their son and heir, as he was the grandson of Gartnach. He is named in a grant to the Culdees of Monymusk, made perhaps before 1179.[7]

IV. FERGUS, supposed to be the son and heir of Roger. He was a witness to the foundation charter of St. Peter's Hospital in Aberdeen,[8] granted by Matthew, Bishop of Aberdeen, 1178-1199. He made a bequest to the Abbey of

[1] *Book of Deer*, 93. [2] Other forms are Helain, Elan, Elon. Gaelic *eilean* means island. There are several islands in the Ythan where the bridge crosses that river at Ellon. [3] *Book of Deer*, 95. [4] In the *New Statistical Account of Scotland* (Edinburgh, 1843) it is stated that this remarkable mound had then disappeared; but the writer remembers it in 1851 surrounded by a wooden fence. It is now surrounded by a small garden, which is enclosed with a stone wall. A flagstaff stands in the centre and a Jubilee tree was planted near it in 1887 by Mr. Gordon of Ellon. [5] *Jordan Fantosme*, translated by F. Michel, 1840, 22. [6] *Chartulary of Lindores*, Scot. Hist. Soc., 1, 2. [7] *Reg. Prior. S. Andree*, 370. [8] *Collections on the Shires of Aberdeen and Banff*, 153; Boece's *Bishops of Aberdeen*, New Spalding Club, 9, 10, 187.

Aberbrothock of an annuity of a mark of silver, which grant was confirmed by King William by a charter attested by Hugh, Chancellor of Scotland, who died in 1199.[1] Fergus, therefore, probably died about the end of the twelfth century, certainly before 1211.[2]

V. Marjory or Margaret, his daughter and heiress, succeeded before 1211, as between that date and 1214 King William the Lion confirmed a grant by her of the church of Turriff to the Abbey of Aberbrothoc.[3] Though the mormaers and Celtic Earls of Buchan must have resided within the districts under their jurisdiction, Countess Marjory had a manor near Leuchars in Fife.[4]

In or before 1214[5] she was married to William Comyn, eldest son of Richard Comyn and his wife Hextilda (as to whom *see under* Badenoch), who then became Earl of Buchan in her right and took part in the coronation of Alexander II., 5 December 1214.[6] It has been stated that Marjory was a widow when she married Comyn, but this seems to be erroneous, and the charter in which she refers to herself as a widow appears to be dated between 1233 and 1236, after Comyn's death.[7]

William Comyn, Earl of Buchan, had inherited his father's estates in Scotland, and the manor of Thornton, in Tyndale, in Northumberland.[8] In 1200 he was sent by William the Lion to John, King of England, on a friendly mission after his accession to the throne.[9] Between 1211 and 1214, along with his wife, the Countess, he granted to the church of St. Thomas the Martyr at Arbroath the revenue of the Church of Buthelny (Oldmeldrum),[10] and in 1219 he founded the Cistercian Abbey of Deer, in Buchan, dedicated to the Virgin Mary, on or near the site of the old Columban monastery.[11] He was Justiciar of Scotland,[12] and in this

[1] *Reg. Vet. de Aberbrothoc*, 6, 7, 57; cf. 94. [2] Adam, son of the Earl of Buchan, who appears in a charter by William, Earl of Buchan (*Registrum Glasguen.*, i. 101), may have been an illegitimate son of Fergus. [3] *Reg. Vet. de Aberbrothoc*, 6, 93; *Antiquities*, ii. 427. [4] *Reg. Prior. S. Andree*, 398. [5] *Reg. Vet. de Aberbrothoc*, 46, 92; *Chron. de Mailros*, 110. [6] Fordun, ed. Skene, i. 280. [7] *Reg. Vet. de Aberbrothoc*, 93, 161. [8] *Cal. of Docs.*, i. No. 809. [9] Rymer's *Fœdera*, i. 81; Hemingburgh, i. 234. [10] *Collections*, 560. [11] *Liber Pluscardensis*, i. 46. [12] *Cal. of Docs.*, i. No. 809; *Ibid.*, i. No. 1118; *Reg. Vet. de Aberbrothoc*, 46.

capacity he put down a rebellion in Moray, headed by Guthred, in 1211, and again in 1229 he crushed another rebellion in the same district. He was also Sheriff of Forfarshire.[1] In 1221, along with other nobles, he was a witness to the marriage-contract between Alexander II. and the Princess Joan, sister of Henry III. of England.[2]

The Earl died in 1233,[3] and according to tradition he was buried before the high altar of the church of the Abbey of Deer, which he had founded.[4] Countess Marjory survived her husband; in 1236 she participated in the settlement of a dispute with the Abbot of Arbroath regarding lands in Tarves,[5] and her son, Alexander Comyn, is styled heir of Buchan in 1242,[6] but she died soon after, as he was Earl before August 1244.

William Comyn was twice married.

His first marriage is referred to under Badenoch.

By his marriage with the Countess of Buchan he had issue:—

1. ALEXANDER, who succeeded his mother in the earldom.
2. *Sir William.*[7]
3. *Fergus*, mentioned in the foundation charter of the Hospital of Turriff,[8] and also in various other writs along with his brother Alexander, until 1270 or later.
4. *Idonea*, married (before her father's death) to Sir Gilbert Hay, who received with her the lands of Auchtercoul in Mar.[9] She was evidently named after Idonea, her father's *sister* (omitted under Badenoch), to whom Earl William, soon after he became Earl, gave a grant of the lands of Blyth, Ingraston, and the Haugh (Spittalhaugh) in Linton Parish, Peebles. The elder Idonea married Sir Adam Fitz Gilbert, and had issue a daughter, *Christian.*[10]

[1] *Reg. Vet. de Aberbroth.*, 5. [2] *Cal. of Docs.*, i. No. 808. [3] *Antiquities*, ii. 409 *n.*; *Liber Pluscardensis*, i. 73, says 1232. [4] *Antiquities*, ii. 410. This tradition was confirmed by the finding, last century, of a tomb before the site of the high altar, in which there was part of a belt. Information received on the spot by writer from the gardener at Pitfour. [5] *Collections*, 337. [6] Fordun à Goodall, ii. 73. In a charter of 1240 (*Liber de Calchou*, 151) and also in a writ of 1242 (*Antiquities*, ii. 109) he is named Alexander Comyn only. [7] *Collections*, 372; *Antiquities*, iii. 112. [8] *Collections*, 470. [9] Copy of original charter in Gen. Reg. Ho. [10] See *Registrum Honoris de Morton*, ii. 4; *Origines Parochiales*, i. 189.

5. *Elizabeth*, married to William, Earl of Mar. She died in 1267.[1]
6. *Agnes*, who is said to have been married to Philip Meldrum of that Ilk. She and her husband had a dispute with the monks of Arbroath in 1263.[2]

Alexander, son of William Comyn and Marjory, Countess of Buchan, is named Alexander Comyn only in a charter by King Alexander to the monks of Lesmahago in 1240,[3] and also in a charter by the same King to Walran de Normanvill on 8 April 1242,[4] but he succeeded his mother, as Earl of Buchan, between 1242 and 1244.[5] In a charter to the church of Arbroath he expressly states that he was the son of Marjory and the grandson of Fergus.[6] He took a conspicuous part in the public affairs of Scotland in the reign of Alexander II.; and in the beginning of the reign of Alexander III. he and his half-brother, the Earl of Menteith, and his nephew John, the Red Comyn, having got possession of the person of the young King, took the government of Scotland into their own hands. He was appointed Justiciar of Scotland, north of the Forth, in 1251, and with a short interval held that office till his death. He founded in 1261 a hospital for decayed husbandmen at Newburgh, and in 1272-73 another at Turriff,[7] whose foundation charter is witnessed by Alexander II. From this and other charters it seems that he had a residence at Kelly, now Haddo House;[8] but the castle of Kingedward, mentioned in the charter of Turriff Hospital was afterwards—and perhaps then—the chief messuage of the earldom of Buchan.[9] He married Elizabeth[10] or Isabella (called also Marjory), third daughter of Roger de Quincy, Earl of Winton, by his first wife Alianora, daughter and co-heiress of Alan of Galloway, who was hereditary Constable of Scotland. In 1270 Margaret, Countess of

[1] Fordun à Goodall, ii. 109. [2] *Collections*, etc., 561. [3] *Liber de Calchou*, i. 151. [4] *Antiquities of Aberdeen*, etc., ii. 109. [5] *Liber de Calchou*, i. 150, 151; he is styled heir of Buchan in 1242 (Fordun à Goodall, ii. 73), and Earl of Buchan in August 1244, as conservator of a truce with England; Rymer's *Fœdera*, i. 428. [6] *Lib. Vet. de Aberbroth.*, 266. [7] *Collections*, 371, 467. [8] *Ibid.*, 323, 372; *Chartulary of Lindores*, No. 124. [9] *Collections*, 467, 486. [10] *Ibid.*, 371; *Cal. of Docs.*, i. No. 2412; ii. No. 36. Wyntoun says 'Midlast,' viii., bk. vi. 310; *Liber Pluscardensis*, i. 137, says second.

Derby, eldest daughter of Roger de Quincy, resigned the office of Constable in Scotland, to which she had succeeded, in favour of Alexander Comyn, who thereafter acted as Constable of Scotland.[1] In 1264, after the battle of Largs, he was sent along with the Earl of Mar and Sir Alan Durward, then Justiciar, to reduce to submission the Western Islesmen, who had sided with Haco of Norway.[2] In 1281 he was Justiciar of Scotland.[3] In February 1283-84 he entered into an agreement with other nobles to maintain the succession to the Crown for Princess Margaret of Norway,[4] after the death of her grandfather, Alexander III.; and when the King died, 19 March 1285-86, the Earl was appointed one of the six guardians for Scotland.[5] Before 1264 he was Sheriff of Wigtownshire and of Dingwall.[6] During the reigns of Alexander III. and of Margaret he was the wealthiest and the most influential man in the kingdom. At his death, in 1289,[7] he left several sons and daughters.

1. JOHN, who succeeded him, upwards of thirty years of age at his father's death.[8]
2. *Roger*, who was sent by his father in his stead to serve the King of England against the Welsh.[9]
3. *Sir Alexander*, who was taken prisoner in Dunbar Castle by Edward I., and committed to Bristol Castle.[10] Later in the same year he did homage to Edward at Berwick.[11] In 1297 he swore to serve the King of England in his Scots wars against France.[12] He was Sheriff of Wigtownshire[13] and of Aberdeenshire 1304-5,[14] and he was keeper of the Castles of Urquhart and Tarwedale.[15] He must have died before 3 December 1308.[16] His seal bore—on the breast of an eagle displayed, a shield with three garbs, with the legend: 'S' Alexandri Cumyn D Buc'.[17]

[1] *Cal. of Docs.*, ii. Nos. 215, 216; *Collections*, etc., 322; Rymer, i. 610. [2] Fordun, ed. Skene, i. 301. [3] *Collections*, 258. [4] Robertson's *Index*, App. 3; Rymer, i. 638; *Cal. of Docs.*, ii. No. 248. [5] Fordun, ed. Skene, i. 310. Error of John for Alexander; *Hist. Docs.*, Palgrave, 25. [6] *Exch. Rolls*, i. 22, 18, 19. [7] *Cal. of Docs.*, ii. No, 366; Stevenson, i. 128; *Exch. Rolls*, i. 39, 40, 47. [8] *Cal. of Docs.*, ii. No. 369. [9] *Ibid.*, ii. No. 216. [10] *Cal. of Docs.*, ii. No. 742. [11] *Ibid.*, Nos. 823, 1617. [12] *Ibid.*, No. 889. [13] *Exch. Rolls*, i. 22. [14] *Cal. of Docs.*, ii. Nos. 431, 438, 439. [15] *Ibid.*, No. 435. [16] *Ibid.*, iii. No. 59. [17] *Ibid.*, No. 889.

By his wife Johanna Latimer he had two daughters,

(1) *Alicia*, of whom later, married to Henry, first Lord Beaumont.[1]
(2) *Margaret*, who married Sir John Ross.[2]

4. *William*, called a cleric in a charter by his father.[3] Having acquired from his brother John certain lands in England without the licence of the King, he unwarrantably assumed the title of Earl of Buchan after his brother's death.[4] He afterwards surrendered the lands to his brother's daughters and co-heiresses, Alicia and Margaret Comyn.[5] In 1296, being provost of St. Mary's Church in St. Andrews, he swore fealty to Edward I. of England, but in 1306 he was deprived of his income from this source till he should swear fealty to the King of Scotland.[6]
5. [*Marjorie*], 'The eldest,' married to Patrick, Earl of March, or Dunbar,[7] and had issue.
6. [*Emma*?],[8] married to Malise, Earl of Strathearn, had issue, Malise.
7. [*Elizabeth*], married to Sir Gilbert Umfraville,[9] Earl of Angus, had issue Robert and others.
8. [*Elena*], married to Sir William of Brechin,[10] and had issue Sir David.
9. —— married to Sir Nicholas Soulis, had issue William and John.

II. JOHN COMYN, Earl of Buchan, son of Earl Alexander and his wife Elizabeth de Quincy, was born in or before 1260, as he was declared by a jury to be thirty years old and upwards at his accession in 1290. He had, seven years before, been placed in possession of his father's English

[1] Fordun, ed. Skene, i. 316. [2] Wyntoun, ii. 310; Robertson's *Index*, 2, No. 44. [3] *Reg. Prior. S. Andree*, 283. [4] His seal shows a shield bearing 3 garbs, 2 and 1 between three lions passant. Legend, 'S Will'i Comyn Comitis de Bouh . . .' Cf. *Scot. Armorial Seals*, by W. R. Macdonald, No. 578, and *Cal. of Docs.*, iii. lix., lx. Nos. 93, 97. [5] *Cal. of Docs.*, iii. 249, 904. [6] *Ibid.*, ii. 778, 1822. [7] Wyntoun's *Cronykil*, ed. 1872, ii. 310. According to a letter by George, Earl of March, to King Henry IV., her name was Marjorie, but as yet no other evidence of her identity or existence, or to which Patrick she was married, has been found. [8] Malise, Earl of Strathearn, had a wife Emma, in 1261-1267, whose surname is unknown [*Cal. of Docs.*, i. 2283, 2451]. [9] Elizabeth, wife of Gilbert Umfraville (1275), [*Cal. of Docs.*, ii. 58]. [10] Elena, widow of Sir William Brechin, grants in 1302 portions of her lands of Kinloch to the Abbey of Lindores [*Chartulary of Lindores*, Scot. Hist. Soc., No. 136].

estates.[1] He succeeded his father in the hereditary office of Constable of Scotland.[2] He was Sheriff of Banffshire in 1289, and of Wigtownshire in 1290.[3] In 1291, along with the Bishop of St. Andrews and the Earl of Mar, he was appointed to authenticate and take charge of the petitions of the competitors for the sovereignty of Scotland.[4] In 1292 he was a witness to John Baliol's doing fealty to Edward I. at Norham. In 1295 he joined Baliol in resisting Edward I., and was declared an enemy of the King of England, who confiscated the goods in his manor of Whitwick in Leicester.[5] With six other Earls he besieged Carlisle in 1296, but they had to withdraw.[6] In 1296 he renounced the Scots league with France, submitted to Edward, and swore fealty to him, first at Montrose, and again at Berwick.[7]

As Constable of Scotland he joined with Henry, Bishop of Aberdeen, and Gratney or Gartnet, son of the Earl of Mar, in putting down a rebellion in Moray in 1297.[8] In 1303 he was one of the Scots ambassadors to France, where he acted in opposition to the interests of the English King, for which he had afterwards to go to England and make his peace with the King.[9] His lands in Scotland and England which had been forfeited were then restored to him, and at the same time his brother Roger got back his lands.[10] From John Baliol he had received before the War of Independence the thanage of Fermartyn and Darley,[11] except the burgh and Castle of Fyvie.[12] He had been fully reinstated in favour of the English King before the coronation of King Robert Bruce in 1306, and next year, when Bruce marched into Aberdeenshire, Comyn fought with him at Slevach about Christmas.[13] In May 1308 he was thanked by Edward for his good service in the district committed to him north of Forth, and was requested to remain there for a time.[14] A few days later, on Ascension Day, he fought

[1] *Cal. of Docs.*, ii. Nos. 369, 421. [2] *Ibid.*, No. 888; *Hist. Docs.* ii. 210. [3] *Exch. Rolls.*, i. 39, 48, 49. [4] *Cal. of Docs.*, ii. No. 516. [5] *Hist. Docs.*, ii. 47 134; *Cal. of Docs.*, ii. No. 736 (24). [6] Fordun, ed. Skene, ii. 321. [7] *Cal. of Docs.*, ii. No. 823, pp. 194, 196. [8] *Ibid.*, Nos. 920, 921. [9] *Ibid.*, Nos. 1363, 1455. [10] *Ibid.*, Nos. 1535, 1538. [11] *Ibid.*, No. 1541. Derely, now Darley, is in Auchterless, and so not in Formartine. Marjory, Countess of Buchan, possessed a great part of Formartine south-west of the river Ythan. Alexander Comyn had a residence at Kelly in Methlick. [12] *Cal. of Docs.*, ii. No. 1541. [13] Fordun *à* Goodall, ii. 219; now Slioch in Drumblade. *Collections*, 476. [14] *Cal. of Docs.*, iii. No. 43.

with Bruce at Inverurie,[1] when Comyn's army was routed and pursued to Fyvie, after which Bruce devastated the earldom of Buchan with fire and sword. Comyn did not, however, leave Scotland, but was in June appointed by Edward to be joint Warden of the Western Marches—Annandale, Carrick, and Galloway.[2] He died in England between 11 August and 3 December 1308, at which latter date the English King arranged for 'the custody of the lands both in England and Scotland of the late John Comyn, Earl of Buchan, and the ward and marriage of his heirs, still in minority.'[3] He married Isabella, daughter of Duncan, Earl of Fife.[4] In 1297 she remained in England managing her husband's estates in Leicester and Warwick, while he was in Scotland;[5] but when Bruce was made King at Scone in 1306 she went to him, taking with her her husband's war-horses, to place the crown on his head, a privilege which belonged to her family, but which her brother, the Earl of Fife, would not exercise.[6] Though she arrived a few days too late for the coronation ceremony, she placed the diadem on Bruce's head with her own hand, and never after rejoined her husband.[7] She was in Kildrummy Castle with Bruce's Queen when the English moved to attack it, but along with other ladies she went for safety to St. Duthac's in Cromarty. They were, however, taken out of that sanctuary by the Earl of Ross and delivered to Edward.[8]

By order of Edward I. in 1306 the Countess of Buchan was imprisoned in a cage erected in a room in Berwick Castle. She was strictly guarded, but allowed to have the attendance of her women, and the convenience of a decent chamber.[9] There she remained till 28 April 1313, when she was transferred to the custody of Henry de Beaumont, who had married her deceased husband's niece.

John Comyn left no children by his wife, but he was succeeded by his nieces.

ALICIA, Countess of Buchan, was the elder daughter of

[1] Fordun, ed. Skene, i. 344. [2] *Cal. of Docs.*, iii. Nos. 43, 47. [3] *Ibid.*, No. 59. [4] Wyntoun, ii. 316; Fordun, ed. Skene, ii. 432. [5] *Cal. of Docs.*, ii. Nos. 955, 1311. [6] Hemingburgh, ii. 247; Rishanger, 229; *Flores Hist.*, iii. 130. [7] *Scalachronica, apud* Leland, *Collectanea*, i. 452. [8] *Cal. of Docs.*, ii. p. xlvii. No. 1851; Palgrave, 356-359. [9] *Cal. of Docs.*, iii. No. 313; Rymer's *Fœdera*, ii. 109.

Alexander Comyn, brother of John, Earl of Buchan, and Johanna, sister of William de Latimer, an English lady, who survived her husband till 10 May 1342, latterly as a pensioner of the English Crown.[1] Before 14 July 1310 Alicia was married to Henry de Beaumont, an English nobleman, who had been employed by Edward II. on various services in Scotland.[2] In right of his wife he claimed the office of Constable of Scotland, which was granted to him to be held during the King's pleasure, and in December 1312, when his wife came of age, he did fealty and homage for her lands in England and Scotland, and was recognised as Earl of Buchan.[3] It was no doubt for this reason that Isabella, the widow of the late Earl, was committed to his keeping in 1313.[4]

Beaumont fought on the English side in the battle of Bannockburn, and was disinherited by King Robert Bruce.[5] In 1330 Edward III. applied to David II. of Scotland to restore the lands of the earldom to him, in terms of the treaty of Northampton, 1328, but having got an unsatisfactory reply he renewed the application with a covert threat. War followed, and Beaumont accompanied Edward Baliol into Scotland, and was at the battle of Dupplin, 1332.[6] Next year he was sent on a friendly mission by Edward III. to attend Baliol's Parliament in Scotland, and to confer with the prelates and magnates about giving effect to the treaty. He sat in the Parliament 10 February 1333-34,[7] as Earl of Buchan, but he did not recover the estates of the earldom, because Edward Baliol favoured the claims of the Mowbrays, who were like himself connected with the Comyns by marriage. Beaumont withdrew himself to Dundarg Castle in Aberdour, which he strongly fortified, and he for a time ruled over the whole of Buchan. Having been besieged in Dundarg by Sir Alexander Mowbray and Sir Andrew Moray, and seeing that he could not long defend the castle, he surrendered, 23 December 1334, and returned to England with his wife and family.[8] He died 10 March 1340, survived by his wife and a son, Sir John Beaumont,[9]

[1] *Cal. of Docs.*, iii. No. 1006. [2] *Ibid.*, No. 249. [3] *Ibid.*, Nos. 201, 296, p. lx. [4] *Ibid.*, No. 313. [5] *Chron.* Edwards I. and II. (1883), ii. 46; *Chron. de Lanercost*, 227. [6] *Cal. of Docs.*, iii. Nos. 1013, 1029; *Liber Pluscardensis*, i. 265; *Chron.* Edwards I. and II., 106. [7] *Antiquities*, iv. 713; *Fœdera*, ii. 876, 888; *Cal. of Docs.*, iii. No. 1094. [8] *Liber Pluscardensis*, i. 271; *Chron.* Edwards I. and II., ii. 119-121; *Cal. of Docs.*, iii. No. 1260. [9] *Ibid.*, No. 1348; Fordun, ed. Skene, i. 357.

then about twenty-two years old. Sir John Beaumont might, after his mother's death, have claimed to be Earl of Buchan, but without the lands of the earldom it would have been an empty title, and he never assumed it. With Alicia ended the Comyn line of the Earls of Buchan.[1]

Margaret Comyn, the second daughter of Sir Alexander, received the half of the Earl of Buchan's whole lands in Scotland in tocher on her marriage, about 1309, with Sir John Ross, son of William, Earl of Ross. He was also related to his wife, being the great-grandson of William Comyn, Earl of Buchan, by his first marriage.[2] At the time of her marriage Margaret was a minor and a Crown ward, and her hand and fortune were at the disposal of the sovereign, Robert I. The lands referred to, lying in Aberdeenshire, north of the watershed between the rivers Don and Ythan, were erected into the barony of Kingedward, with its castle for the capital messuage.[3]

Sir John Ross died childless, apparently very soon after his marriage, and his widow seems to have married a Sir William Lindsay. A charter is extant[4] in which the latter gave to the monks of the convent of Deer an annual payment of sixteen shillings to commemorate the anniversaries of the deaths of his two wives, Alesia, and Margaret, Countess of Buchan. If the latter was Margaret Comyn she must have married again soon after the death of her first husband, and have survived her second marriage but a short time. Probably to regulate the succession to his lands, Sir John Ross resigned them to the King and got a new infeftment.[5] Either at the death of Sir John Ross or of his widow, the lands passed to his nephew William, who became Earl of Ross in 1333. In 1370 he resigned some of his lands and titles to the King, and in Parliament got a new grant of them, giving succession after him to his daughter Euphemia and her husband, Sir Walter Leslie, and the longest liver of them and their heirs. From this arrangement were excluded his lands in the shires of Aberdeen, Dumfries, and Wigtown,[6] which had come into his family through

[1] Robertson's *Index*, No. 244. [2] Cf. vol. i. of this work, p. 505. [3] It is called a ballia in a charter of Walter Leslie, Robertson's *Index*, 86, No. 204 (valle for ballia); *Collections*, 483. [4] *Circ.* 1310 according to *Antiquities*, iv. 4, but must have been later. [5] Robertson's *Index*, 3, 4. [6] *Antiquities*, ii. 386.

Margaret Comyn and might have had a different succession by Sir John Ross's settlement. The King, apparently without the consent of the Earl, bestowed on Euphemia and her husband so much of these lands as lay in Buchan, viz. the barony of Kingedward.[1] He died in 1372, leaving two daughters, *Euphemia* and *Janet*. Before 1367[2] Euphemia had been married to Sir Walter Leslie of Leslie, Aberdeenshire, of the family of Rothes. (*See that title.*) He died at Perth 27 February 1381-82, and before 22 July following his widow had been constrained to marry Sir Alexander Stewart, fourth son of Robert II., popularly styled the 'Wolf of Badenoch.'[3] This marriage gave him a legal right to the revenue of the earldom of Ross, which the King had already given to him during Sir Walter Leslie's life.[4] The Countess was alive in 1389;[5] but she is not again mentioned. By her first husband she had a son and a daughter, but she had no children by her second husband. Her sister Janet was married before 1375 to Sir Alexander Fraser of Cowie,[6] who received Philorth and other lands in recompence and satisfaction of Janet's share in the earldom or territory of Ross.[7]

ARMS.—Azure, three garbs or.

[J. M.]

[1] *Antiquities*, ii. 387. [2] *Ibid.*, 383. A dispensation was issued on 24 November 1366, for the marriage of Walter Leslie and Euphemia Ross, *Cal. Papal Reg. Letters*, iv. 59. [3] *Antiquities*, iii. 521; *Reg. Mag. Sig.*, folio vol. 165, No. 21. [4] *Exch. Rolls*, iii. 14, 44, 45; iv. p. clvii. 445. [5] *Chart. Morav.*, 365. [6] *Antiquities*, ii. 350. [7] *The Frasers of Philorth*, i. 113, 114; ii. 209-217.

STEWART, EARL OF BUCHAN

SIR ALEXANDER STEWART, Earl of Buchan, was the fourth son of Robert II. The title came to him as the result of his marriage, in 1382, with Euphemia, Countess of Ross, who was Baroness of the barony of Kingedward, originally comprehending the greater part of the lands in Aberdeenshire belonging to the ancient earldom of Buchan.[1] These she resigned into the hand of the King, 22 July 1382, who regranted them to her and her husband, and the longer liver, their heirs, and failing them the heirs of Euphemia. Probably at this time he was created EARL OF BUCHAN, for though in this charter he is styled Lord of Badenoch, he is called Earl of Buchan[2] in another granted to him three days after. He deserted his wife for a woman named Mariota, who may have been the mother of his illegitimate children.[3] He had been imprisoned in Lochleven Castle in January 1368-69,[4] at the instance of Margaret Logie, wife of David II., but was set free when she was divorced. In 1372 he was appointed by his father King's Lieutenant and Justiciar north of the Moray Firth,[5] and this led to a serious dispute between him and the Bishop of Moray in 1380. For deserting his wife he was reprimanded

[1] *Reg. Mag. Sig.*, i. 165, No. 21. [2] *Ibid.*, 20. [3] *Reg. Morav.*, 353. [4] *Exch. Rolls*, iii. pp. lxi, 309, 347. [5] *Nat. Dict. Biog.*; *Reg. Morav.*, 171.

and excommunicated, 2 November 1389, by the Bishops of Moray and Ross, and ordered to adhere to his wife and not illtreat her, under a penalty of £200.[1] In revenge he burned the towns of Forres and Elgin, and the Cathedral of Elgin in 1390. Ecclesiastical penalties made him humbly submissive, and after satisfying the Bishop of Moray, and doing penance at the church of Blackfriars Monastery at Perth in presence of his father the King he received absolution from the Bishop of St. Andrews.[2] Before his marriage Alexander Stewart was a leader of bands of caterans and malefactors, for which cause he was removed from the office of Justiciar,[3] and his sons were, in 1398-99, imprisoned in Stirling Castle for their lawless deeds.[4] He is usually said to have died in 1394, but there is evidence that he lived many years afterwards, and he probably died within the year ending 24 March 1406.[5] In Dunkeld Cathedral there is a tomb with a recumbent figure and an inscription, somewhat illegible, but supposed to commemorate him. He had six bastard sons and one daughter, but he had no legitimate issue:—

1. *Alexander*, Earl of Mar. (*See that title.*)
2. *Sir Andrew*,[6] of Sandhauch, now Sandlaw, Alvah, Banffshire.
3. *Duncan*.[7]
4. *James*.[8]
5. *Walter*.[9]
6. *Robert*, of Athol.[10]
7. *Margaret*, married to Robert, Earl of Sutherland.[11]

On the death of Earl Alexander the earldom of Ross and the barony of Kingedward passed to the legitimate heiress, Euphemia Leslie, grand-daughter of the Countess of Ross; but the earldom of Buchan went to the nearest heir of the late Earl, who was his next older brother

II. Robert Stewart, Duke of Albany and Regent of Scotland (*see title* Albany), who bestowed the title on

[1] *Reg. Morav.*, 353. [2] *Ibid.*, 381; *Exch. Rolls*, iii. p. lxxviii. [3] *Acta Parl. Scot.*, 573. [4] *Exch. Rolls*, iii. p. lxxviii. [5] *Exch. Rolls*, iii. 634. [6] Wyntoun, I. ix. 27; *Collections*, 555; *Antiquities*, iii. 582, 583; iv. 178, 179. [7] *Liber Pluscardensis*, i. 329. [8] *Exch. Rolls*, iv. p. clviii. [9] *Ibid.* [10] *Liber Pluscardensis*, i. 329. [11] *Exch. Rolls*, vi. p. clviii.

III. John Stewart, Earl of Buchan, who was the eldest son of the Regent by his second wife, Muriella, daughter of Sir William Keith, Marischal of Scotland.[1] He was born about 1380, and having been trained to the profession of arms from his youth he became a distinguished soldier. On 20 September 1406 the Duke of Albany, styling himself Earl of Buchan, gave to him '*totum . . . comitatum nostrum de Buchane*,'[2] erecting the lands pertaining to it into a free barony, with remainder to his brothers Andrew and Robert. On 12 March 1406-7 his father resigned in his favour the office of Chamberlain of Scotland,[3] which he held till his death. In 1407 he received from his maternal grandfather grants of lands in Stirlingshire,[4] with the office of Sheriff of the county; and the barony of Obeyn, now Aboyne, in Aberdeenshire.[5] On the resignation of Euphemia Leslie, Countess of Ross,[6] a Crown ward, he got the barony of Kingedward, a violation of the rights of Mary Leslie her aunt, married to Donald, Lord of the Isles. On 15 June 1415 she resigned also the earldom of Ross, and lands in the counties of Inverness, Nairn, Kincardine, and Fife,[7] and got a re-grant of them to herself, with remainder to the Earl of Buchan and his brother Robert, whom failing, to the King, which was also a violation of the rights of Mary and her husband. From that time he was sometimes styled Earl of Ross.[8]

In 1416 he was sent to England to treat for the release of James I., but he returned unsuccessful.[9] In 1420 he went to France[10] with 7000 Scottish soldiers to support Charles VII.; he distinguished himself in the Battle of Baugé, 21 March 1421, and was made Constable of France by the French King, but he was killed in the Battle of Verneuil, 17 August 1424.[11] The elder of the two brothers, Andrew and Robert, named in the charter conferring the earldom, was probably dead before 1415, otherwise he would have been named along with Robert in the charter of the earldom of Ross. The younger, Robert, survived till 1431, and became a Crown

[1] Robertson's *Index*, 163, No. 19. [2] Sutherland Addl. Case, vi. 155. [3] *Reg. Mag. Sig.*, folio vol. 227; Robertson's *Index*, 162, No. 16. [4] Robertson's *Index*, 163, No. 19. [5] *Ibid.*, 163, No. 20. [6] *Ibid.*, 160, No. 10. [7] *Ibid.*, 159, 160, No. 9; Suth. Addl. Case, v. 29. [8] *Antiquities*, iv. 383, 420. [9] *Nat. Dict. Biog.* [10] *Liber Pluscardensis*, i. 355. [11] *Ibid.*, 360.

pensioner,[1] but he did not claim the earldom of Ross and the barony of Kingedward, nor the earldom of Buchan. King James I. had returned from his long captivity in England; he had taken in hand the establishment of law and order in the country, and had recognised the right of the son of Donald of the Isles to the earldom of Ross and the barony of Kingedward. Some if not all of the other lands held by the Earl of Buchan[2] were held by his widow in liferent, and Robert may have been too much overawed by the King's severity to Murdac, Duke of Albany, and other near relatives to claim the earldom.[3]

The Earl married, in 1413, Elizabeth,[4] daughter of Archibald, Earl of Douglas, who also was killed at Verneuil. His widow married Sir Thomas Stewart,[5] natural son of Alexander, Earl of Mar, and having again become a widow she married, as her third husband, William Sinclair, Earl of Orkney, afterwards Earl of Caithness.[6] She died before 1451.

By his wife John Stewart had one daughter, Margaret, who married, as his first wife, George, first Lord Seton, by a dispensation from the Pope obtained in 1436,[7] and left issue male.

Creation.—*Circâ* 1382.

Arms.—Azure, three garbs or; these appear on the seal of his wife Euphemia Ross.[8]

[J. M.]

[1] *Exch. Rolls*, iv. 532. [2] *Ibid.*, v. 516. [3] Mary Stewart, fifth daughter of James I., was styled Countess of Buchan, and having married, in 1444, Wolfart van Borselen, Count of Grandpré, and Lord of Campvere in Holland, he is said to have become Earl of Buchan in her right (*Liber Pluscardensis*, i. 390; *Exch. Rolls*, iv. p. clxii), but no contemporary or valid proof of this statement has been found. [4] Robertson's *Index*, 167, No. 24; *Reg. Mag. Sig.*, 25 February 1425-26; *Liber Pluscardensis*, i. 360. [5] *Exch. Rolls*, iv. p. clxxxiii; v. 55. [6] *Ibid.*, iv. p. clxxxiii. [7] *Ibid.*, vi. p. cvi. Founding perhaps on the letter given in Pinkerton, i. 449, Bower says James I. made George Dunbar, eleventh Earl of March, Earl of Buchan, but of this there is no evidence. [8] Macdonald's *Armorial Seals*, Nos. 2333, 2568.

STEWART, EARL OF BUCHAN

SIR JAMES STEWART, often called 'Hearty James,' was created EARL OF BUCHAN and LORD AUCHTERHOUSE in 1469. He was not directly of the Royal house, but was the second son of Sir James Stewart, the black Knight of Lorn, and Joan, widow of James I. (*See titles* Innermeath and Atholl.)

Before 1 March 1466 he married Margaret,[1] the only child of Sir Alexander Ogilvie of Auchterhouse, and got with her the Castle of Banff, the baronies of Strathalvah and Down in the county of Banff, and various other lands in the counties of Banff, Aberdeen, and Forfar. He got sasine of the lands pertaining to his earldom on the small mound called Earlshill, still to be seen in the village of Ellon, on 28 October 1476; and on 27 July 1490, on the resignation of John, Lord of the Isles, in a meeting of Parliament, held in Aberdeen,[2] he got from the Crown the lands of the barony of Kingedward. The original grant of the earldom is not now extant, but it having been formally resigned to King James III., after the usual general revocation at his majority, a re-grant of the earldom was made 12 October 1477.[3] The Earl, apparently on his marriage, became Sheriff

[1] *Reg. Mag. Sig.*, 19 October 1466. [2] *Reg. Mag. Sig.*, 1 March 1466-67, 22 September 1478; Suth. Addl. Case, v. 60; *Antiquities*, iii. 523. [3] *Reg. Mag. Sig.*

of Forfar, but he resigned the office in 1466.[1] He was also Sheriff of Banff in 1470,[2] and in the same year he was made Great Chamberlain on the fall of Lord Boyd, and held the office till 1473, when he was sent as an ambassador to France. On his return he again got the office of Great Chamberlain,[3] which he held till 1484. In 1478-89 he was made guardian of the middle marches between Scotland and England.[4]

He was at feud with other nobles, which led to gatherings of their followers under arms, and necessitated the interference of the Government to preserve the peace. He was also concerned in the plots, revolts, and fights which disturbed the end of the reign of James III., and having taken his side he along with his brother the Earl of Atholl was accused, after the accession of James IV., of treasonable counsel with the King of England against the liberties of the country, and of keeping the late King in thraldom.[5] He was sentenced to banishment for three years, and had to resign all his offices, but on submission he was pardoned and got a remission for all acts called treasonable done in the reign of James III.[6]

The Earl was alive in 1497,[7] and died probably in 1498-99.[8]

By his wife he had only one son,

ALEXANDER, who succeeded him.

He had also several natural children by Margaret Murray, widow of William Murray. Some of these were legitimated by royal charter, and one of them, *James*, legitimated in 1488-89,[9] was ancestor of the Earls of Traquair (*see that title*). Another, *Agnes*, was married to Adam, Earl of Bothwell.[9]

II. ALEXANDER STEWART, second Earl of Buchan, of this line, was the only son of Earl James and Margaret Ogilvy. He succeeded to the earldom and the barony of Kingedward and other lands, probably in 1499, as he got sasine of the earldom on 23 January 1499-1500.[10] On 21 January 1490-91 he got from his father a charter to himself and his wife, Isobel

[1] *Reg. Mag. Sig.*, 19 Oct. 1466. [2] *Exch. Rolls*, viii. 16. [3] *Ibid.*, 395. [4] *Reg. Mag. Sig.*, 3 Feb. 1478-79. [5] *Lord Treasurer's Accounts*, I. lx, lxiii, lxxiii, 94. [6] *Exch. Rolls*, ix. pp. l, li; *Treasurer's Accounts*, i. p. lxxxi. [7] *Antiquities*, iv. 473; *Exch. Rolls*, xi. 374*, 462. [8] *Reg. Mag. Sig.*, 20 Feb. 1488-89. [9] *Ibid.*, 28 August 1511; *see* p. 156 of this vol. [10] *Exch. Rolls*, xi. 374*.

Ogilvy,[1] of the lands of the barony of Kettins and others; and on 6 February 1499-1500, another of the same lands to himself and his second wife, Margaret Ruthven.[2]

In 1503 James IV. was adjudged by the Lords of the Council heir to John Stewart, Earl of Buchan, the son of Robert, Duke of Albany, on the ground of non-entry of a successor, and he took to himself the barony lands and the title of Baron of Kingedward, a strange proceeding in view of the charter of 1490,[3] and the recognition of the Lords of the Isles as barons of Kingedward.[4] The Earl died in 1505.[5]

By his first wife, Isobel Ogilvy, who was alive in 1491, but dead before his accession to the earldom, he seems to have had no family.[6] By his second wife, Margaret, daughter of William, first Lord Ruthven, he had

1. JOHN, born about 1498,[7] his successor.
2. —— a son, born in 1500-1. King James IV. was at his baptism in Perth in February.[8]
3. *Agnes.*
4. *Janet.*[9]

His second wife survived him, and was married, secondly, before 21 June 1508,[10] to Sir John Erskine, younger of Dun, who fell at Flodden; thirdly, to James Stewart of Ryland, before 23 December 1518;[11] and fourthly, to William Wood of Bonyton.[12] She died in 1548.

III. JOHN STEWART, third Earl of Buchan, son and heir of Alexander, succeeded to the earldom in 1505. He was retoured heir to his father in the earldom and Earlshill in 1519;[13] till then he retained the style of Master of Buchan which he had held in his father's lifetime.[14] On his own resignation, a charter of all his lands, baronies, lordships, and heritable offices, and of the Earlshill,[15] was granted 4 August 1547 to his son John Stewart and his heirs, reserving the Earl's liferent. He is spoken of as recently dead in 1551.

He married Margaret, daughter of James Scrymgeour of Dudhope, Constable of Dundee, by whom he had:—

[1] *Reg. Mag. Sig.*, 20 May 1491. [2] *Ibid.*, at date. [3] *Antiquities*, iii. 523. [4] *Exch. Rolls*, v. p. xci. [5] *Service of Heirs*, ii. anno 1517. [6] *Reg. Mag. Sig.*, 20 May 1491. [7] *Treasurer's Accounts*, i. p. xix. [8] *Ibid.*, ii. 97; iv. 60, 74, 85. [9] *Ibid.*, iii. 379. [10] *Reg. Mag. Sig.*, 30 Aug. 1508. [11] Dundee Protocol Book, 1518-34. [12] *Liber Sententiarum Officialis S. Andree*, MS., f. 227. [13] Suth. Addl. Case, v. 61. [14] *Exch. Rolls*, xii. pp. xxxiii, 486. [15] *Reg. Mag. Sig.*, at date.

1. John, Master of Buchan, who married, first, Mary, only child of James Stewart, Earl of Moray, an illegitimate son of James iv. and Janet Kennedy; secondly, Margaret,[1] daughter of Walter Ogilvy of the Boyne, who survived her husband two years at least.[2] He was killed in the battle of Pinkie, 10 September 1547, leaving an only child by Margaret Ogilvy:—

   (1) Christina or Christian, Countess of Buchan.

2. *James*, Master of Buchan in 1547, after his brother's death. He married Christian, daughter of John Strang of Balcaskie, by whom he had:—

   (1) *James*, served heir to his father, 13 October 1604,[3] and to his grandfather, great-grandfather, and great-great-grandfather 26 March 1618.

   (2) *Alexander*.

   (3) *Margaret*, married to Sir Hadrian Damon of Birtewelte in Denmark.

   (4) *Isobel*.

IV. Christina Stewart, Countess of Buchan in her own right, succeeded her grandfather, Earl John, in 1551. In that year she was, as heir to her father, infeft in the lands, jurisdictions, and offices enumerated in her grandfather's charter of 1547.[4] She was only three years of age at her mother's death, and was placed under the guardianship of Margaret Erskine, wife of Sir Robert Douglas of Lochleven. In January 1549-50, though Christina was only a young child, a contract of marriage was arranged between her and James Stewart, afterwards Earl of Moray and Regent, the son of Lady Douglas by King James v., which gave him possession of her lands. Notwithstanding this he married another lady, and Christina was married to Moray's uterine half-brother, Robert Douglas, second son of Sir Robert Douglas of Lochleven. In his wife's right Robert Douglas became Earl of Buchan and Sheriff of Banff.[5] In 1574 they obtained a charter of the family estates, heritable offices, and the Earlshill in conjunct fee, with remainder to the heirs-male of the marriage, heirs-female, heirs of the body of the Countess, and finally, to the

[1] *Reg. Mag. Sig.*, 15 May 1547. [2] *Ibid.*, iv. 623, 27 January 1551. [3] *Retours, Gen.*, 178, 738-791. [4] Suth. Addl. Case, v. 61. [5] *Reg. Mag. Sig.*, 20 March 1575-76.

nearest lawful heirs of the Earl.[1] The Earl of Buchan took a prominent part in the political movements made in the minority of James VI., and he supported the Regent Moray in opposition to the 'Loyalists,' who favoured Mary. After the Regent's assassination in 1570 he was one of the four lords to whom the government of the country was committed in name of the King. The Earl of Buchan died at Mills of Drum, near Aberdeen, 18 August, and the Countess at Aberdeen 20 September 1580.[2] They had one son and three daughters:—

1. JAMES Douglas, Earl of Buchan.
2. *Christian*, married to Richard Douglas, brother of William Douglas of Whittinghame.
3. *Mariota*, married to Alexander Irvine of Drum.
4. *Elizabeth*, married, in 1592, to Andrew Fraser of Muchals, and had issue.[3]

CREATION.—1469.

ARMS.—The first Earl bore on his seal:—Quarterly, 1st and 4th, [azure], three garbs [or]; 2nd and 3rd, [or], a fess chequy [azure and argent].

The second Earl bore on his seal:—Quarterly, 1st, a fess chequy; 2nd, a lion rampant; 3rd, an eagle displayed; 4th, three garbs.

The third Earl bore on his seal:—Quarterly, 1st, three garbs; 2nd, a fess chequy; 3rd, an eagle displayed; 4th, a lion passant.[4]

CREST.—A stag lodged.

[J. M.]

[1] *Reg. Mag. Sig.*, iv. 2224. [2] Spalding Club *Miscellany*, ii. 53. [3] Harl. MS., 6441. [4] Macdonald's *Armorial Seals*, Nos. 2641-3.

DOUGLAS, EARL OF BUCHAN

JAMES DOUGLAS, only son of Christian, Countess of Buchan, was born about 1580. He succeeded to his father in 1586, and was served heir to his mother on 24 May 1588. He died 26 August 1601, and was buried at Auchterhouse, near Dundee. He married Margaret, second daughter of Walter, first Lord Ogilvy of Deskford, and had by her an only child Mary, who succeeded him. His widow, who was living in 1613-14, was married to Andrew, Lord Gray, probably about 1608, and had by him an only child,

MARY DOUGLAS,[1] only child of Earl James, who succeeded him in 1601. She was married to James Erskine, second son of John, Earl of Mar, Lord High Treasurer of Scotland,[2] who then became Earl of Buchan in her right. On the resignation of the Countess a royal charter of the earldom of Buchan was granted, 22 March 1617, to Mary Douglas, Countess of Buchan, and her husband in conjunct fee and liferent, and to the longer liver of them, and the heirs-male of the marriage, whom failing, to the legitimate and nearest heirs-male and assignees of the Earl. In 1625 the Earl

[1] Suth. Addl. Case, v. 64, 65, 68. [2] *Reg. Mag. Sig.*, at date.

and Countess obtained a new charter of the earldom, with the honours and dignities thereto belonging, in favour of themselves in liferent, and their eldest son in fee, and the heirs-male of his body, whom failing, to return to the Earl and Countess with the same remainders as before.[1] At the 'Decreet of Ranking' of nobility in 1606 the Countess, then a minor, was unrepresented, and the earldom of Buchan was placed below the earldoms of Eglintoun, Montrose, Cassillis, Caithness, and Glencairn; but in 1628 the Court of Session pronounced a decree giving the earldom of Buchan rank above these, making it date from 1469, when it was created in favour of Sir James Stewart.[2] The Countess then resigned her honours, dignities, titles, and privileges, and they were conferred upon her husband with the same ranking. After the death of the Countess the decreet of the Court of Session was ratified by Act of Parliament in 1633.[3]

The Countess of Buchan died in 1628: the Earl survived till January 1639-40.[4] He was one of the Lords of the Bedchamber to Charles I. He lived much in England, died in London, and was buried at Auchterhouse. By his Countess he had issue:—

1. JAMES, Earl of Buchan.
2. *John*, who is said to have died *s.p.*
3. *Mary*, married to Alexander,[5] second Lord Forbes of Pitsligo, and had issue. (*See that title.*)
4. *Margaret*,[6] married to Sir James Graham, second son of William, Earl of Airth, and had issue.
5. *Elizabeth*, who died unmarried.

The Earl married, secondly, Dorothy, daughter of Sir Philip Knyvett, Bart., of Buckenham, Norfolk, who seems to have died in London, and to have been buried at St. Martin's-in-the-Fields, 4 February 1638-39.[8]

ARMS.—Quarterly: 1st and 4th, argent, three piles gules, the exterior piles charged with a mullet of the first, for *Douglas of Lochleven*; 2nd and 3rd, azure, three garbs or, for *Comyn*. [J. M.]

[1] *Reg. Mag. Sig.*, 25 November 1625. [2] Decreet, 25 July 1628. [3] Suth. Addl. Case, v. 66; *Acta Parl. Scot.*, 28 June 1633. [4] *Complete Peerage*, ii. 56. [5] *Collections*, 438. [6] *Retours, Banff*, Nos. 126, 127. [7] *Ibid.*, No. 126. [8] *Complete Peerage*, ii. 56.

ERSKINE, EARL OF BUCHAN

JAMES ERSKINE, eldest son of Countess Mary and Earl James, was served heir to his mother, 16 September 1628,[1] but he did not succeed till his father's death in 1640. For taking part in 'The Engagement' in 1648 he was fined £1000 under Cromwell's Act of Grace and Pardon 1654. He married Marjory Ramsay, eldest daughter of William, first Earl of Dalhousie, by his first wife, Margaret Carnegie, daughter of David, first Earl of Southesk. He died in October 1664, survived by his wife, who married, secondly, Mr. James Campbell, minister of Auchterhouse, afterwards of Lundie, who had been her chaplain.[2] By her the Earl had issue:—

1. WILLIAM, Earl of Buchan.
2. *Margaret*, married, first (contract 12 and 13 June 1669), to Simon Fraser of Inverallochy; secondly, in September 1683, to Charles, Lord Fraser.
3. *Anne*, married to James Canaries, D.D.
4. *Henrietta*,[3] married to Thomas Forbes of Auchry, second son of Walter Forbes of Tolquhon, by whom she had

    William Forbes of Tolquhon.

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[1] *Retours*. [2] Scott's *Fasti*, ii. 703, 704, 717. [3] *Collections*, 333.

5. *Jean*, married to George Gray of Halkerton.[1]

II. WILLIAM, Earl of Buchan, only son and heir of Earl James, succeeded his father in 1664. He executed in 1677, and ratified in 1678, a deed regulating the succession to the honours held by him, extending it, failing certain specified lines, to his heirs whatsoever. At the revolution in 1688 he adhered to the cause of James VII., and having been captured by the soldiers of William III. he was imprisoned in Stirling Castle, where he died in 1695, unmarried. He was the last male heir of the body of James Erskine, who married Mary Douglas, Countess of Buchan, and with him ended the Erskine Earls of Buchan of the first line.

The succession was claimed by Fraser of Inverallochy through Margaret, sister of the deceased Earl; but it was regulated by the charter of 1625, and in 1698 the Parliament of Scotland allowed Lord Cardross to take his seat as Earl of Buchan, reserving all questions of precedency.[2]

ARMS.—Not recorded in Lyon Register, but Pont, writing about 1630, gives the arms of the Earl of Buchan as follows:—Quarterly: 1st, azure, three garbs or, for *Comyn*; 2nd, or, a fess chequy azure and argent, for *Stewart*; 3rd, or, a fess chequy azure and argent within a bordure gules charged with eight mullets or; 4th, argent, three piles in point and a chief gules charged with three mullets of the first, for *Douglas of Lochleven*; above all, on a shield of pretence the arms of the Earl of Mar.

CREST.—A savage hand proper, holding a baton or.

SUPPORTED by two cranes proper.

MOTTO.—*Judge nocht.*

[J. M.]

[1] *Annals of an Angus Parish*, 132. [2] *Acta Parl. Scot.*, x. 144.

ERSKINE, EARL OF BUCHAN

DAVID ERSKINE, Lord Cardross, who now became Earl of Buchan, was also descended from John Erskine, Earl of Mar, and Mary Stuart, his second wife. (*See title* Mar.) He was the son of Henry, third Lord Cardross (*see that title*), and Catherine, younger daughter and co-heiress of Sir William Stewart of Kirkhill, Linlithgowshire. He filled several offices of State in the reigns of William III. and Queen Anne, and gained universal esteem; but, on account of his protest against the clause of the Treaty of Union which interfered with the right of Scottish Peers to sit in Parliament, he was deprived of his offices under the Crown. He was, however, a zealous supporter of the interests of the Elector of Hanover, and when George I. became King he made the Earl of Buchan Lord Lieutenant of Stirling and Clackmannan. He joined the Duke of Argyll in suppressing the rebellion of 1715. He was chosen a Representative Peer for Scotland in 1715, and continued to be one till 1734. He died in London in 1745, and was buried at Hampstead. He married, first, in 1697, Frances, daughter and heiress of Henry Fairfax of Hurst, Berkshire, by ——, daughter of Sir Thomas Browne

of Norwich, author of *Religio Medici*, etc. She died 31 July 1719, and he married, secondly, on 15 September 1743, Isabella, daughter of Sir William Blacket, Bart., who survived him, and dying in 14 May 1763 was buried at Hampstead. She had no offspring. By his first wife the Earl had seven sons and two daughters:—

1. *Henry David*, Lord Auchterhouse, who was born 21 September 1699 and died in infancy.
2. *David*, Lord Auchterhouse, born 22 April 1703, died young.
3. HENRY DAVID, Earl of Buchan.
4. *Fairfax*, born 8 February 1712. He married Annabella Manning, and died without offspring in 1735.
5. *George Lewis*, born in 1714. He was deaf and dumb, but was taught to speak, though not articulately. He died unmarried in 1744.
6. *Edward*, born in 1714 and died in infancy.
7. *Frederick*, born in 1715 and died in infancy.
8. *Katherine Anne*, born in 1697, married, 25 October 1724, to the Hon. William Fraser of Fraserfield or Balgownie, M.P. for Aberdeenshire, second son of William, eleventh Lord Saltoun. (*See that title.*)
9. *Frances*, born 1700, married to Colonel James Gardiner, killed at the battle of Prestonpans in 1745. She died in Edinburgh in 1774, having had two sons and six daughters, of whom only the following survived infancy:—

(1) *David*, born 1727, who served in the army.
(2) *James*, born 1728, who also served in the army.
(3) *Frances*, married to Sir William Baird of Saughtonhall, Edinburgh, Bart., R.N., with issue.
(4) *Richmond*, married to Lawrence Inglis, and had issue.

II. HENRY DAVID, Earl of Buchan, born 17 April 1710, third son of Earl David, succeeded his father in 1745. He married, 31 January 1739, Agnes, second daughter of Sir James Stewart, Bart., Solicitor-General, by Anne, daughter of Sir Hew Dalrymple, Bart. He died at Walcot, Somersetshire, 1 December 1767, and was buried in the church of Holyrood Abbey. His widow died 17 December 1778. By

her he had nine children, several of whom died in infancy. Among the others were:—

1. *David*, Lord Cardross, born 12 June 1741, died 4 October 1747.
2. David Stuart, Earl of Buchan.
3. *Henry*,[1] born 1 November 1746, died 8 October 1817, an eminent Scots lawyer, the foremost in his profession; M.P.; Lord Advocate; and Dean of the Faculty of Advocates. He married, first, 30 March 1772, Christian, daughter of George Fullerton of Broughtonhall, who died 9 May 1804, aged fifty, leaving four children:—

    (1) Henry David, who succeeded as Earl of Buchan.
    (2) *George Francis*, captain in the army, died unmarried.
    (3) *Elizabeth Crompton*, married, 21 October 1801, to Colonel George Callander of Craigforth, and died August 1855.
    (4) *Henrietta*, married, 11 May 1812, to Peter Smith, M.D.

    Henry Erskine married, secondly, 7 January 1805, Erskine, daughter of Alexander Monro of Glasgow, and relict of James Turnbull, advocate. She died 25 January 1845.

4. *Thomas*, born 21 January 1750.[2] After trying in succession the navy and the army, he studied law, and made his *début* at the English Bar in 1778. He gained a high reputation for eloquence and fearless independence as a barrister. He was made a King's Counsel in 1783, and entered Parliament the same year as member for Portsmouth. He also became Attorney-General to the Prince of Wales in 1783, Chancellor of the Duchy of Cornwall in 1802, and Lord Chancellor in 1806, when he was raised to the Peerage as BARON ERSKINE of Restormel Castle in Cornwall. He married, 29 March 1770, Frances Moore, daughter of William Moore, M.P. for Marlow. After her death, 22 December 1805, he married, on 12 October 1818, at Gretna Green, Sarah Buck, who survived him, and died 25 October 1825. He died at Almondell, 17 November 1823, and was buried at Uphall, Linlithgowshire.
5. *Anne Agnes*, born 1739, died 5 October 1804, aged sixty-five.

[1] *Dict. Nat. Biog.* [2] *Ibid.*

6. *Isabella*, married, first, 21 January 1770, William Leslie Hamilton, who died 2 October 1780; secondly, 23 April 1785, John, fifteenth Earl of Glencairn, who died *s. p.* 24 September 1796. She died 17 May 1824.

III. David Stuart, Earl of Buchan, eldest surviving son, was born 12 June 1742, and succeeded his father in 1767. He acted as a patron of the literary men of his time, but his immense vanity, says Scott, obscured, or rather eclipsed, very considerable talents.[1] He was the founder of the Society of Antiquaries of Scotland. He married, 15 October 1771, Margaret, daughter of his cousin, William Fraser of Fraserfield, Aberdeenshire, who died without issue 12 May 1819. The Earl died 19 April 1829, at Dryburgh Abbey, which he had bought in 1786, and was succeeded by his nephew.

IV. Henry David, Earl of Buchan, the eldest son of Henry, next brother of the third Earl, was born in July 1783. He succeeded his uncle in 1829, and in 1830 established in the House of Lords his right to the Peerage. He died in London 13 September 1857 and was buried in Ripon Cathedral. He married, first, 28 September 1809, in London, Elizabeth Cole, third daughter of Brigadier-General Sir Charles Shipley, Governor of Grenada, who died 5 October 1828, having had six sons and three daughters:—

1. *Henry*, Lord Cardross, born 22 October 1812, died 29 December 1836, having married, 15 May 1832, Jane Halliday, second daughter of Archibald Torrie. She died at Brighton 11 September 1886. He had issue:—

   (1) *Henry Shipley*, styled Lord Cardross, born 21 August 1834; died unmarried 21 September 1849, predeceasing his grandfather.

   (2) *Joan Berry*, heiress of Dryburgh and Holmes, born 16 February 1833. She was married, 8 April 1856, to Rev. George Eden Biber Erskine, who died 25 July 1866. She died 16 March 1870, leaving issue.

2. *Charles*, born November 1814, died an infant.
3. David Stuart, Earl of Buchan.
4. *James*, born 1818, died an infant.
5. *George Francis Albany*, born September 1823, married, 1889, Agnes Maria, eldest daughter of Rev. J. M.

[1] Lockhart's *Life*, vii. 189.

Mason, vicar of Marriche, Yorks, and died *s. p.* 10 July 1894.

6. *John M'Loughlin Fraser*, born March 1825, married, 1855, Ann, daughter of William Thorne of Uffculm, Devon. She died 10 November 1902. He died 16 October 1891.

7. *Mary Margaret*, born 27 May 1811, married, on 23 July 1838, to William Browne Constable, of Wallace Craigie, who died 19 July 1852, without issue. She died 13 November 1891.

8. *Christian Isabella*, born October 1820, married, 4 June 1840, to John Gordon of Aikenhead, Lanarkshire, J.P. and D.L. (she died 3 July 1886), and had five sons:—

(1) *John Henry*, born 1842, married, first, in 1868, Mariann Craig, daughter of Hon. James Augustus Erskine, who died in 1870; secondly, in 1871, Margaret Elizabeth, only daughter of Lieut.-Colonel Grierson of Bardannoch, Dumfriesshire, Bart.
(2) *Henry*, born 1849.
(3) *Charles Shipley*, born 1851, married, in 1875, Catherine, daughter of Captain Stirling-Stuart of Castlemilk, Lanarkshire, with issue.
(4) *Hamilton*, born 1856.
(5) *Alexander Stuart*, born 1860.

9. *Alicia Diana*, born February 1822, married, first, 6 June 1843, to the Rev. and Hon. Somerville Hay, who died 25 September 1853, with issue; secondly, 5 January 1858, to James Young, of Westbridge, I.W., to whom also she had issue. She died 31 October 1891.

The Earl married, secondly, 26 June 1830, Elizabeth, youngest daughter of John Harvey of Castle Semple, Renfrewshire, who died 17 December 1838. By her he had:—

10. *Elizabeth*, born 9 October 1831, married 18 December 1865 to Henry Lee-Harvey of Castle Semple, Renfrewshire, and died 13 January 1888.

11. *Margaret*, born 15 November 1834, married 24 April 1860 to Rev. Sir William Vincent, Rector of Postwick, Norfolk. She died 22 November 1872.

12. *Henry David*, born 29 May 1833, died 30 July 1857.

He married, thirdly, 26 June 1839, Caroline Rose, youngest daughter of James Primrose Maxwell of Tuppendean, Kent, who died 22 April 1893.

V. David Stuart, Earl of Buchan, second surviving son of the last Earl, was born 6 November 1815, and succeeded his father in 1857. He married, first, 27 April 1849, Agnes

Graham, daughter of James Smith, of Craigend, Stirlingshire, who died 2 September 1875. By her he had two sons:—

1. SHIPLEY GORDON STUART, Earl of Buchan.
2. *Albany Mar Stuart*, Captain, third battalion West Riding Regiment; born 24 February 1852, married 16 May 1878, Alice Ellen, daughter of Alfred Keyser, of Cross Oak, Berkhampsted, which marriage was dissolved on her petition 17 March 1900.
3. *Graham Somerville*, born 6 March, died 29 August 1855.

The Earl married, secondly, 17 July 1876, Maria, widow of Jervis Collas, of St. Martin's House, Jersey, and daughter of William James. He died 3 December 1898.

VI. SHIPLEY GORDON, Earl of Buchan, was born 29 December 1850, and succeeded his father 1898; D.L., Linlithgowshire; married, 9 November 1876, at Maidenhead, Rosalie Louisa, youngest daughter of Captain J. A. Sartoris of Hoppsford Hall, Coventry. Issue:—

1. RONALD DOUGLAS STUART MAR, Lord Cardross, born 6 April 1878. Lieutenant, Scots Guards.
2. *Muriel Agnes Stuart*, born 15 April 1879, married, 7 January 1903, to Major the Hon. Charles S. Heathcote Drummond Willoughby.
3. *Marjorie Gladys Stuart*, born 7 September 1880.
4. *Evelyn Hilda Stuart*, born 21 March 1883, married, 24 June 1903, to the Hon. Walter E. Guinness.

ARMS.[1]—Nisbet gives:—Quarterly: I. Azure, three garbs or, for *Buchan*. II. Counterquartered: 1st and 4th, azure, a bend between six cross crosslets fitchée or, for *Mar*; 2nd and 3rd, argent, a pale sable, for *Erskine*. III. Counterquartered: 1st and 4th, or, a fess chequy azure and argent; 2nd and 3rd, azure, three garbs or, for *Stewart of Kirkhill*. IV. Argent, three bars gemels gules surmounted of a lion sable, for *Fairfax*; *surtout*, his father's coat of augmentation, for *Cardross*.

CREST.—A dexter hand holding a baton raguly proper.

SUPPORTERS.—Dexter, an ostrich proper; sinister, a gryphon gules.

MOTTO.—*Judge nought.* [J. M.]

[1] The arms in the initial have been simplified for convenience in representation.

WEMYSS, LORD BURNTISLAND

JAMES WEMYSS of Caskieberran, second son of David Wemyss of that Ilk (*see title* Wemyss), had by his wife, Janet Durie, widow of David Martin of Carden, co. Fife, who died in July 1578,[1] eleven children, eight sons and three daughters, viz.:—

1. JAMES, who succeeded his father.
2. *Robert.*
3. *John.*
4. *Patrick.*
5. *Duncan.*
6. *Thomas.*
7. *David.*
8. *Gavin.*
9. *Janet.*
10. *Isabel.*
11. *Marion.*

Several of the younger sons are said to have gone to Flanders, and one of them is claimed as an ancestor by the Barons and Counts of Wemyss in Italy.[2]

JAMES, said to have married Elizabeth Simpson, and, dying prior to January 1608, to have had issue:[3]—

1. JAMES, who succeeded him in Caskieberran, and carried on the main line of this branch.
2. *David.*
3. *Gavin*, confirmed executor-dative to David Wemyss of that Ilk, 6 March 1600.[4] He is said to have married

[1] *Edin. Com.* [2] *Wemyss Book*, i. 303; iii. 257. [3] *Ibid.*, i. 410, 411. [4] *Edin. Com.*

prior to 1608, Agnes Scott, of the family of Scott of Balwearie, and by her to have had issue.[1]

JAMES. He left home at an early age, and is said to have served under Gustavus Adolphus, and to have thereafter settled in England with his uncle Colonel Robert Scott, with whose household he received a grant of denization in 1630. He was a man of considerable ingenuity, and produced various inventions connected with artillery, small arms, and mining machinery. In 1638 he was appointed Master Gunner of England, and in 1648 General of Artillery and Engineering and Master of War Ordnance and Arms in Scotland. Taken prisoner after Worcester, he entered the service of the Commonwealth, and was appointed Master Gunner of England. At the Restoration he was restored also to his Scottish office of General of Artillery. He does not appear to have derived much financial advantage from these appointments, for in November 1666, in demitting the Scottish office, he states that he had not received sufficient to pay even interest on his outlays, and subscribes himself 'your Majesty's most humble but ruined servant.' He died in the same year, 1666, having married an English lady who brought him some property near London, and by whom he had an only son,[2]

I. JAMES, who succeeded his father in this English property, and also in lands which he had acquired in Scotland, including the castle and mills of Burntisland. His early history may be given in his own words, written in 1677: 'I was almost a stranger in Scotland till I was married, being born and brought up in England, and I had seen France, Germany, and Holland before I had been in Scotland.'[3]

David, second Earl of Wemyss, found himself in the year 1671 in this position: His estates were heavily burdened. He had been married three times, and out of a family of sixteen children only two daughters survived, of whom Margaret, born in 1659, by his marriage with the widowed Countess of Buccleuch, was the younger. He had also a

[1] *Wemyss Book*, i. 301. [2] *Ibid.*, i. 298. [3] *Ibid.*, iii. 267.

firm resolve that the family estates should not leave the name, as he wrote to his sister-in-law, 'I will assure you ane Wemys most have all befor any other name for I will never putt my house out of that antient name for any other in the world.'[1] He accordingly entered into an arrangement with Sir James Wemyss of Burntisland as he had now become, under which he should marry the Lady Margaret, and provide a considerable sum for the liquidation of the debt on the estates, while Lord Wemyss should under reservation of his own liferent resign the honours and estates in favour of Lady Margaret and the heirs-male of the marriage. This scheme provoked the most strenuous opposition on the part of Jean Wemyss, Lady Strathnaver, Margaret's elder sister, but it was duly carried through. Sir James and Margaret Wemyss were married at the Kirk of Wemyss on 28 March 1672. By the influence of Lady Margaret's sister-uterine, Anna Scott, Duchess of Buccleuch and Monmouth, Sir James obtained a patent dated 18 April 1672, creating him LORD BURNTISLAND for the term of his natural life.[2] On the death of Lord Wemyss, in July 1679, Lady Burntisland succeeded to the earldom in terms of the re-grant. An attempt was made soon thereafter to obtain for Lord Burntisland the further title of Earl of Wemyss as well as the minor honours of the family; but this either failed or became unnecessary by the death of Lord Burntisland in December 1682,[3] when his title became extinct.

By his wife, Margaret, Countess of Wemyss, who married, secondly, in April 1700, Sir George Mackenzie, Viscount of Tarbat, afterwards Earl of Cromartie, and died 11 March 1705, Lord Burntisland had issue:—

1. David, who succeeded his mother as third Earl of Wemyss. (*See that title.*)
2. *John*, died in infancy.[4]
3. *Anna*, married David, Earl of Leven, afterwards Earl of Leven and Melville, with issue.
4. *Margaret*, married David, Earl of Northesk, with issue.
5. *Catherine*, died young.[5]

[1] *Wemyss Book*, iii. 112. [2] *Reg. Mag. Sig.* [3] *St. Andrews Com.*
[4] *Wemyss Book*, i. 411. [5] *Ibid.*

CREATION.—Lord Burntisland, 18 April 1672.

ARMS, recorded in Lyon Office.—Quarterly: 1st and 4th, or, a lion rampant gules; 2nd and 3rd, argent, a lion rampant sable; over all, a label for difference.

CREST.—A swan proper.

SUPPORTERS.—Two swans proper, each gorged with a label.

MOTTO.—*Je pense.*

[J. R. N. M.]

STUART, MARQUESS OF BUTE

JOHN STEWART, also called 'The Black Stewart,'[1] first of the house of Bute, was a natural son of King Robert II.[2]

He received from his royal father and his brothers, King Robert III. and the Regent Albany, a 'fair estate' in the Principality and Stewartry of Scotland. In this way, by the gift of Robert II. he became the hereditary Sheriff of the islands of Bute and Arran,[3] probably on their first erection into a sheriffdom, in 1385.[4] From Robert III. he received on 11 November 1400 a confirmation of the office of Sheriff,[5] and a charter of the lands of Ardmulese and Grenane in Bute, and of Coregelle in Arran, and grants of annualrents of ten pounds a year out of the maills of the King's Bute lands, and of ten merks yearly from his lands in Arran.[6] From the Regent, who like Robert III. styles him his brother, John Stewart and his wife received, in 1418, a charter of the half lands of Fennok in the barony of Renfrew, which he had purchased from Richard

[1] From his complexion; Crawford, *Renfrewshire*, 238. [2] *See* vol. i. 17 *ante*. [3] Charter of Conf., Robert III., 'dilecto fratri nostro,' etc., 11 November 1400, Bute Writs, i. 1. [4] *Exch. Rolls*, v. p. xcviii. [5] Charter of Conf., 11 November 1400, *ut sup.* [6] Another charter, 11 November 1400, Writs, i. 2.

de Barde,[1] and in the following year a charter, to himself and his wife, of the lands of Barrone in Bute, on the resignation of 'Agnes, daughter of Walter.'[2]

Stewart received also from Robert III. a charter of an annualrent of twenty merks out of the barony of Abernethy, in Perthshire,[3] and in 1398 he paid into the Exchequer the ferms of the lands of Ormysdale.[4] An expenditure of nine chalders of barley, which he had appropriated for the repair of Rothesay Castle, was repudiated by the Exchequer, and continued in the accounts against him, and, after his death, against his son.[5]

He was one of the hostages for James I. of Scotland in 1424.[6]

Tradition says that the name of the Sheriff's mother was Leitch. A family of that name held property in the Island of Bute at a very early date, and probably derived its surname from its hereditary profession of medicine.[7] It has also been stated that the mother was the lady named Mora,[8] mentioned in several of Robert II.'s charters, another person, however, from Elizabeth More. John Stewart married Jonet Sympil, named with him in charters of 1419 and 1444,[9] daughter of John Sympil of Eliotstoun,[10] and had issue:—

1. JAMES.
2. WILLIAM of Fennok. (*See below.*)
3. *Robert* of Bute, one of the Council of King James II.[11]
4. *Andrew* of Roslane, in Buteshire, from whom the Stewarts of Rosland and Balinshangrie descended.[12]

JAMES STEWART, who succeeded his father as Sheriff of Bute between 1445 and July 1449,[13] must have been then of more than middle age, for he had granted charters as

[1] Charter 1 June 1418, Bute Writs, i. 3; quit-claim, 5 May 1420, *Ibid.* i. 5. In these documents Richard de Barde is sometimes called Richard le Barde. [2] Charter dated Renfrew, 4 July 1419, Bute Writs, i. 4. [3] Robertson's *Index*, 146, 35. [4] £10, 3s. 4d., *Exch. Rolls*, iii. 458. [5] *Ibid.*, v. 578. [6] *Cal. of Docs.*, iv. 942. [7] *Exch. Rolls*, vi. p. xcviii. [8] Abercromby, *Martial Achievements*, ii. 198. [9] 4 July 1419, *ut sup.*; Charter of Conf., 28 January 1444, *Reg. Mag. Sig.* [10] Charter, 4 July 1419, *ut sup.* [11] 10 August 1440, *Acta Parl. Scot.*, ii. 57; Crawford, *Renfrew*, 288; Douglas, *Peerage*, adds that Robert succeeded his father as Sheriff, had a son James, who died *s. p.*, and was succeeded by James, son of William of Finnock. [12] Douglas, *Peerage*, citing Duncan Stewart's *History of the Stewarts*, 144. [13] *Exch. Rolls*, v. 213, 364, 410.

early as the year 1390 or thereby.[1] For some years he continued to receive the annualrents attached to his office, but in the Exchequer Rolls of 1454 it is noted—*nichil importanti nec in officio ministranti de anno computi.*[2] In 1464 it is noted that the fee is not to be paid again without a new authority from the King, and in the following year it is actually stopped.[3] It may be that James the second Sheriff died between 1454 and 1464. His line appears to have died with him, for in 1630 Sir James Stewart, the Sheriff of that day, served himself heir of the body of—*inter alios*—William, the second son, above mentioned, of John.[4]

William Stewart apparently succeeded his brother. He received a charter of the lands of Fennok from his parents on 28 January 1444-45.[5] He was keeper of the Castle of Brodick, in Arran, from 1444 till 1453, when the castle was captured and destroyed by Donald Balloch. His fee for his keepership was in part the ferms of certain lands in the island which were occupied by himself.[6] He married Margaret Stewart, who survived him and was alive on 28 June 1485.[7] He died probably about 1465, and left three sons:—

1. James.
2. *William*, who succeeded to the lands of Fennok.[8]
3. *Alexander*, who along with his mother, Margaret, received on 28 June 1485 a tack of the King's lands of Kilwhinlick and Blarvoy, extending to 5½ merks of rent, which they already occupied in the lordship of Bute.[9]

James Stewart, Sheriff of Bute, succeeded to that office probably in 1468. In that year payment of the Sheriff's fee was ordered to be resumed, along with payment of the fee due for the two previous years.[10] On 3 November 1474 he

[1] Charter by 'James Stewart, grandson of the King,' of the advowson of the church of Rothesay to the Abbey of Kilwinning (Robertson's *Index*, 140, 42). [2] *Exch. Rolls*, v. pp. xcix, 664. [3] *Ibid.*, vii. 338. [4] Retour, 8 June 1630; Sir James, heir of William Stewart *tritavi* (Bute Writs, Miscell., ii. 5, 2). [5] Charter, 28 January 1444 *ut sup.* [6] *Exch. Rolls*, v. cviii, 578; vi. p. xcix. [7] Tack recorded in Sheriff Court Books, Bute, 28 June 1485, *per* Blain, MS. *History of the Isle of Bute*, 191, 192. [8] Douglas, *Peerage*, s.v. Bute. [9] *Sub die*, Sheriff Court Books, Bute, *per* Blain, MS. *History of Bute*, 191, 192. [10] *Exch. Rolls*, vii. 577.

obtained a Crown charter of an acre of the lands of Kilcattan, with licence to erect a mill there.[1] He died before the end of 1477, leaving four sons:—

1. JAMES.
2. NINIAN.
3. *James* (secundus), who in 1505 acquired the north half of Kilcattan in Bute, a 20 shilling land,[2] which John, his son, resigned in 1548 in favour of Ninian, a younger son of his uncle Ninian.[3] He married Marabella Crawford, who survived him.[4]
4. *Robert*, who married a daughter of John Lamond.[5]
5. *Jonet*, married, firstly, Archibald Campbell of Skipness, who died in 1537, second son of Archibald, second Earl of Argyle, and had issue (*see* vol. i. p. 336). The marriage was dissolved by divorce, and she married, secondly, before 1529,[6] Ninian Bannatyne of Kames,[7] by which marriage she had issue daughters *Elizabeth* and *Katherine*, both alive in 1529,[8] and *Christian*, alive in 1559.[9] After the marriage had subsisted for more than twenty-five years, Ninian, on 6 March 1554, obtained divorce from his wife in the court of the Dean of Bute and Arran, judge, by papal appointment in matrimonial causes, on the score that her first husband was within the degree of third cousin to him, and that the marriage had not been solemnised in the face of the Church.[10] Bannatyne then married, before the year was well out,[11] Margaret Macowall, his own cousin, already doubly related to him by blood in the second, third, and fourth degrees, and on 18 December 1556 obtained a papal dispensation from the impediment of their relationship.[12]

JAMES STEWART, Sheriff of Bute, succeeded in 1477 while yet a minor. In 1486 his ward was given to Lord Darnley, and in 1487 the grant was declared valid *pro toto tempore*

[1] Charter to James Stewart, Sheriff of Bute, 3 November 1474, Bute Writs, i. 7. [2] Charter, 1 May 1505, Bute Writs, iv. 31, 9, 1. [3] *Ibid.*, 18 May 1548, Bute Writs, iv. 31, 9, 7. [4] Resignation by John Crawford of Bastehelm, 10 August 1547, Bute Writs, iv. 31, 9, 92. [5] Douglas, *Peerage*, s.v. [6] Bannatyne Charters, 34. [7] *Ibid.*, 69. [8] *Ibid.*, 34. [9] *Ibid.* [10] *Ibid.*, 69. [11] Before 14 September 1555, *ibid.*, 71. [12] *Ibid.*, 78 and 79.

ejusdem ab anno, etc., 1477, *qui sunt novem anni.* Darnley was still in possession of the ward in 1488,[1] soon after which James died, and was succeeded by his brother Ninian.

NINIAN STEWART received sasine of the office of Sheriff of Bute and Arran, and of the lands of Ardmaleish, Greenan, Mill of Kilcattan, and Corrigilis on 28 May 1490, as son and heir of James, Sheriff of Bute, etc.[2] In 1498 James IV. by a charter dated 'at our new castle in Kyntire' created him hereditary Captain and Keeper of the Royal Castle of Rothesay, with a fee of forty merks a year out of the rents of the King's lands in Bute, and with all other profits and dues belonging to the office.[3] Besides the acquisition of Almorusmore, or Ambrismore, in Bute,[4] he consolidated his holdings in the islands by acquiring in 1502 the forty pound land, O.E., of Kildonan, etc., in Arran. He surrendered in exchange his lands and annualrents in Perthshire, and an annualrent of thirty-six merks from some of his lands in Bute.[5] In 1507 the Isle of Bute was plundered and burnt by Colin, Earl of Argyll. The families of Bute and Argyll made peace in 1518.[6] In 1535 Ninian and his eight sons, on behalf of themselves and their kin, friends, and servants, entered into a bond of manrent to James, Earl of Arran.[7]

Ninian Stewart married first a lady named Campbell;[8] secondly, on or before 10 August 1506, Jonet Dunlop;[9] and thirdly, on or before 15 October 1516, Elizabeth Blair,[10] who was alive on 30 July 1529,[11] daughter of John Blair of that Ilk.[12]

Ninian Stewart had eight sons:—

1. JAMES, who succeeded him.

[1] *Exch. Rolls*, ix. 352, 487; x. 6. [2] Sasine, 28 May 1490, on warrant of John, Earl of Lennox, Sheriff of Bute, etc., 19 May 1490, following on a Crown precept; Bute Writs, i. 8. [3] Charter, 5 August 1498; Bute Writs, i. 9; *Reg. Mag. Sig.* [4] Charter, 16 August 1506. [5] Charters, 24 February 1502-3; *Eleventh Rep. Hist. MSS. Com.*, App. vi. 23; confirmed, 28 Feb. 1502-3; *Reg. Mag. Sig.* [6] Discharge in favour of Earl of Argyll, 26 May 1518, Bute Writs. [7] Bond of manrent, 23 July 1535, Hamilton Writs; *Eleventh Rep. Hist. MSS. Com.*, App. vi. 35. [8] Contract by Robert Stewart of Kilcattan, 10 September 1605, Bute Writs, A 32, 0, sect. 2, 34. [9] Charter, 16 August 1506, *Reg. Mag. Sig.* [10] Sasine, 15 October 1516, Bute Writs, 4, 32, 20. [11] Charter, 30 July 1529; conf. 15 August 1529, *Reg. Mag. Sig.* [12] Crawford, *Peerage*, 55, citing 'charter *in pub. archivis.*'

2. *Robert*,[9] second son of his father's first marriage,[1] received the lands of Ambrismore from his father in 1529,[2] married Helen Stewart before the end of 1532,[3] and had two sons:—

(1) *William*, who succeeded him, and
(2) *Archibald*, who had sasine of Barnald and Bergadell-Knock in 1558,[4] and was succeeded by Dugald, his nephew, son of his brother William.[5]

William, second of Ambrismore, married Katherine Frisall,[6] and had *James* and *Dugald*. *James* of Ambrismore married, first, Margaret Stewart,[7] and, secondly, Isobell, daughter of Thomas Cuningham of Scoulock, and was succeeded by his son *John*, who in 1608 married Elizabeth, daughter of Ninian Stewart of Kilcattan.[8]

3. *Archibald*,[9] witness to a sasine 8 October 1537.[10] In 1538 presents his father's accounts of the office of Chamberlain of Bute to the Exchequer at Edinburgh,[11] and does the same service for his brother James, the Sheriff, in 1540, etc.[12]
4. *Alexander*,[9] married Elizabeth Tait. They had a charter from Ninian Stewart, the Sheriff, of the three merk land of Kildavanan, 15 August 1532.[13] Kildavanan reverted subsequently to Ninian, the Sheriff, and was thereafter obtained from him by his younger son of the same name, Ninian.
5. *Ninian*[9] of Largobroughton, Kildavanan, and Kilcattan,[14] eldest son and heir of the third marriage of Ninian, his father (with Elizabeth Blair),[15] married Elizabeth Lindsay, who is included with him in charters from 1559 to 1570,[16] and had issue:—

(1) *Robert*, who succeeded him, and was grandfather of Ninian of Kilcattan, and Archibald Stewart of Ballintoy, county Antrim, 1619,[17] and Kilcattan, etc., 1663.[18]

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[1] Contract, 10 September 1605, *ut sup.* [2] Charter, 30 July 1529, *ut sup.* [3] Sasine, 1532, Bute Writs, iv. 32, sect. 2, 0. [4] Sasine, 23 April 1558, Bute Writs, A. 32, 0, sect. 2, 21. [5] 8 February 1553, Bute Writs, A. 33, 0, 4. [6] Sasine, 15 December 1552, Bute Writs, A. 33, 0, 4. [7] Sasine, 17 May 1572, Bute Writs, A. 32, 0, sect. 2, 33. [8] Contract of marriage, 3 June 1608, Bute Writs, A. 106. [9] Bond, *ut sup.* [10] Bute Writs, A. 33, 0, 2. [11] 14 August 1538; *Exch. Rolls*, xvii. 86. [12] 1540, 1542; *Exch. Rolls*, xvii. 386, 500. [13] Charter, Bute Writs, iv. 31, 9, 27. [14] Sasine of Kildavanan, 24 July 1548, Bute Writs, A. 31, 9, 29; Charter of Kilcattan, 18 May 1548, Bute Writs, iv. 31, 9, 7. [15] Sasine, 24 July 1548, *ut sup.* [16] Bute Writs, A. 31, 9, 35; A. 31, 9, 44. [17] Renunciation by Ninian, his eldest brother, in his favour, 24 May 1619, Bute Writs, A. 31, 9, 116. [18] Extract decree, 28 April 1663, Bute Writs, A. 31, 9, 156.

(2) *Alexander* of Kelspokis and half of Bergadill-Knock.[1]

6. *John*,[2] married his first cousin, Elizabeth, daughter of Ninian Bannatyne of Kames.[3]
7. *James* (secundus).[2]
8. *William*,[4] alive in 1548.[5]

Sir James Stewart succeeded his father as Sheriff of Bute and Captain of Rothesay Castle in the beginning of 1539.[6] In 1541 he increased his holding in Arran by the addition of the lands of Drumridan and Knightislands.[7] But thereafter he became involved in certain machinations of the Regent Arran, the Earl of Argyll, and Macdonald of Dunivaig. According to the Sheriff's account, in 1547 the Regent and Argyll entered into a design of procuring his forfeiture,[8] and bestowing his lands in the island of Arran on Macdonald. Arran induced Argyll, his brother-in-law, who was indebted to Macdonald, to seize the lands and prefer a charge of treason against the Sheriff, the accusation being that in August and September 1544 he had assisted the English in their plundering of Bute, Arran, and Dunoon.[9] The Sheriff was first besieged in his castle of Rothesay by James MacDonald and Alaster Maclean, dependants of the Regent; then he was besieged by Bannatyne of Kames at the instigation of Argyll; and finally, on 1 March 1548-49, was summoned to appear before Parliament to stand his trial.[10] He took a protest in Glasgow on his way that he went by compulsion. In Edinburgh he protested that he could get no procurator to act for him, and that for fear of his life he went through the form of selling the greater part of the confiscated lands[11] to the Regent. The price was a payment of 4000 merks, a gift of the office of hereditary Chamberlain of the King's lands in Bute, a feudal title for his lands in the island of Cumbray, and a promise of the Regent's good offices to bring him and Argyll to terms of friendship again, and to

[1] Charter, 6 May 1588, Bute Writs, A. 31, 9, 49. [2] Bond of manrent, *ut sup.* [3] Papal dispensation after the fact, 25 September 1532, Bannatyne Charters, No. 41. [4] Bond, *ut sup.* [5] Witness to charter, 18 May 1548; *Reg. Mag. Sig.*, 21 January 1548-49. [6] Brieve, 15 January 1538-39. [7] Charter, 3 December 1541; *Reg. Mag. Sig.* [8] Contract, 12 June 1547, Bute Writs 'Arran,' 8. [9] Instrument, 24 May 1549, Bute Writs 'Arran,' 11. [10] Summons, 1 March 1548-49, Bute Writs 'Arran,' 9. [11] Instrument, 24 May 1549; Protest, 12 July 1549; Bute Writs 'Arran,' 9, 11.

procure the restoration to the Sheriff of the churches which he formerly possessed in Bute.[1] The Sheriff performed his part of the bargain. It is not clear that he, on the other hand, received the money payment promised him. On 8 September he received a charter of the office of Chamberlain. He also procured a feu-charter of the lands in Cumbray, but denied that he owed them to the Regent. In this way the Earl of Arran got an important part of the lands of the island from which he took his title; Argyll's debt was not paid, and Macdonald had to be content with extracting his promise to use his influence with the Regent to induce him to disgorge the plunder, and, if he failed, to give him lands as good somewhere else out of his own territories.[2] The Sheriff subsequently lived on more peaceful terms with his neighbours, increased his holding in Bute, was created a Knight,[3] and obtained new charters of his offices and remaining lands, but protested on his deathbed that the sale of his Arran lands was by compulsion for an inadequate price, and ought to be annulled.[4]

Sir James married, first, Mary, daughter of Archibald, Earl of Argyll, by whom he had no male issue;[5] secondly, Marion Fairlie, who was alive in 1580,[6] daughter of John Fairlie of that Ilk, widow of Thomas Boyd of Linn,[7] and had:—

1. JOHN.
2. *Robert* of Kelspokis, in 1560.[8]
3. *Alexander*, who had a charter of Knightislands from his father in 1548.[9]

JOHN STEWART of Ardmaleish succeeded his father as Sheriff of Bute, etc., between 26 November 1570[10] and 31 January 1573;[11] was one of the Gentlemen of the Bedchamber to King James VI.;[12] enjoyed possession of his lost lands in island of Arran, and the office of chamberlain and

[1] Contract, 28 May 1549, *Eleventh Rep. Hist. MSS. Com.*, App. vi. 23; Charter of Conf., 8 August 1549, *Reg. Mag. Sig.* [2] Contract, 27 August 1549, Bute Writs 'Arran,' 15. [3] Charter, 22 October 1561, Bute Writs, i, 14, 15, 16. [4] Instrument, 26 November 1570, Bute Writs 'Arran,' 18. [5] Douglas, *Peerage*. [6] Acknowledgment, 11 October 1580.—Bannatyne Charters, 135. [7] Crawford, *Peerage*, 55, citing charter *penes* Thomas Boyd of Pitcon. [8] Charter of Conf., 12 February 1562-63, *Reg. Mag. Sig.* [9] *Eleventh Rep. Hist. MSS. Com.*, App. vi. 22. [10] Instrument, 26 November 1570, *ut sup.* [11] Bute Writs 'Arran,' 21. [12] Crawford, *Peerage*, 55.

bailie of the earldom, during the forfeiture of the Hamiltons; but in spite of the King's repeated promises of support lost them for the last time on the return of that family to power.[1] He nevertheless raised an action in 1590 for the reduction of the contract of sale, but there is no record of his having received any satisfaction.

In 1591 Stewart obtained a Great Seal charter erecting his lands in Bute into the barony of Ardmaleish,[2] and about this same time enlarged his holding in the island, obtained an Act of Exchequer granting him sixty-five merks a year as Captain of Rothesay Castle,[3] and in 1610 obtained leave, under the Privy Seal, to feu or wadset his lands in Cumbray.[4]

He married, first, Mary, daughter of John Campbell of Skipnish.[5] He married, secondly, before 23 January 1590, Fynegella, or Finevole, NikDonald, widow of Dugal Campbell of Auchinbreck,[6] and daughter of Sir James Macdonald of Duniveg, ancestor of the Earls of Antrim,[7] and thirdly, before 15 September 1595, Jean, daughter of John Blair of that Ilk, and widow of Alexander Cunningham, Commendator of Kilwinning.[8] He died before 10 October 1612.[9] By his first marriage[10] he had issue:—

1. Sir John, who succeeded him.

By his third wife he had:—

2. *James*, of Ardinho, Nether Ascog, and Kerremenoch,[11] a minor at his father's death. His elder brother John had a gift of his tutory[12] and his marriage,[13] and on 23 February 1616 offered him, as a wife, Elizabeth Bannatyne, daughter of Hector Bannatyne of Kames. On 26 of the same month his commissioner protested that James's delay in promising to marry the lady within the Church of Rothesay, before 13 March

[1] Protection under Privy Seal, 12 May 1577, Bute Writs 'Arran,' 24 and 27; Letter, James VI., 11 December 1583, Bute Writs 'Arran,' 29; Gift of Escheat, 7 February 1587, Bute Writs 'Arran,' 31. [2] Charter, 18 January 1590-91, *Reg. Mag. Sig.* [3] Act, 9 March 1597, Bute Writs, i. 25. [4] Licence under Privy Seal, 24 June 1610, Bute Writs, 3, 11. [5] Crawford, *Peerage*, 55. [6] Tack, 23 January 1590, Bute Writs 'Teinds,' ii. 3. [7] Crawford, *Peerage*, 55. [8] Charter of Conf., 4 March 1601; Charter, 14 August 1591; *Reg. Mag. Sig.*; *Acts and Decreets*, 29 June 1610. [9] Bond, 10 October 1612; registered 22 May 1615. [10] Crawford, Douglas, etc. [11] Retour, 11 December 1628, Abb. Ret. Buteshire (39). [12] Inq. Tutel., 23 March 1613. [13] Gift, 23 January 1616, Bute Writs, A. 6, 0, 2.

ensuing, was tantamount to a refusal.[1] James was succeeded in Ardinho by his son John, who in 1630 received a feu-charter of Inchmernock from his cousin, Sir James Stewart of Ardmaleish, the Sheriff.[2] On 14 June 1647 John Stewart of Inchmernock obtained a general retour as heir of his grandfather, John Stewart of Ardmaleish, Sheriff of Bute.[3]

3. *Grizzel.*[4]

Sir John Stewart, of Ardmaleish, was retoured heir to his father in his lands and offices on 23 March 1613,[5] on the same day on which he was appointed tutor-at-law to his half-brother, James, *ut supra.* He was knighted before 15 August 1617.[6]

He married Elizabeth, elder daughter and co-heiress of Mr. Robert Hepburn of Furde, in Midlothian.[7] On her own and her sister's resignation Elizabeth and her husband obtained a charter of Furde, etc., in 1616.[8]

Sir John died between 31 March 1618[9] and 30 March 1619, on which date Alexander, afterwards Sir Alexander Foulis of Colintoun, Bart., in contemplation of his marriage with Sir John's widow, Elizabeth, infeft her in his lands of Colintoun.[10] He left issue:—

1. James.
2. *Thomas*, a colonel in the army, said to have died in France.[11]

Sir James Stewart of Ardmaleish and of Kirktoun, Baronet, had a charter of the sheriffdom, etc., on his father's resignation on 31 March 1618.[12] On 28 March 1627 he was created a Baronet of Scotland and Nova Scotia,[13] but did not immediately assume that style and title.[14]

[1] Intimation of Protest, 26 February 1616, Bute Writs, A. 6, 0, 4. [2] 6 and 10 December 1630, Bute Writs, 15, 1, 1, 1. [3] Expede before the bailies of Dalkeith, Bute Writs, Miscell., 2, 5, 1 (6). On 6 July 1630 James Stewart of Ardmaleish was retoured in Ardinho as heir of John Stewart of Ardmaleish, Sheriff of Bute, his grandfather, Ret. (Buteshire), 40; Precept of Sasine, Bute Writs, vi. i. 21. [4] Bond, 10 October 1612 *ut sup.* [5] Sasine, 19 April 1613, Bute Inventory, i. 27. [6] Tack, Bute Writs 'Teinds,' i. 6. [7] Charter of Conf., 26 April 1615, *Reg. Mag. Sig.* [8] Charter of Conf., 29 September 1616, *Reg. Mag. Sig.* [9] Ch. of Conf., 4 April 1618, *Reg. Mag. Sig.* [10] Charter, *Reg. Mag. Sig.* [11] Crawford, *Peerage*, 55. [12] Ch. of Conf., 4 April 1618; *Reg. Mag. Sig.* [13] *P. C. Reg.*, 2nd ser., i. ciii. [14] In six retours which he obtained in 1630, he is designed simply 'Sheriff of Bute,' and in two retours in 1658 he styles himself 'Knight' only (Bute Writs), and with the same title in *Reg. Mag. Sig.*, 7 August 1657.

On 8 June 1630 he obtained retours as heir to his grandfather (John) and remoter ancestors, viz.:—*proavus* (James), *abavus* (Ninian), *tritavus* (William), up to John Stewart (*tritavi pater*), who married Janet Sympil.[1] (*See* p. 286 *supra.*) On 26 October 1658, he, under the designation of Sir James Stewart of Kirktoun, was retoured heir-special to his father Sir John 'of Kirktoun' and his grandfather John Stewart of Ardmaleish.[2]

In the struggle between Charles I. and the Scots parliamentary party, he seems to have sided at first with the King, for in 1640 his estates were sequestrated, and his family were indebted to the Earl of Argyll's authorisation for the aliment they had out of them,[3] but afterwards as Commissioner for Buteshire from 1643 to 1648 he attended the sittings of Parliament; and in 1645 that body approved of his conduct as a judge for the trial of 'delinquents,' *i.e.* Gordon of Haddo, etc.[4] Cromwell on his arrival in Scotland dispossessed him of his custody of Rothesay Castle; and on the Restoration he reported to Charles II. that his family, which had hitherto kept the castle in repair at their own charges, had been ruined by the rebels, and that the castle itself had been partly demolished. He prayed the King to order 'the survey and repair of so noble and ancient a possession of the Crown.'[5] The King assented to the survey,[6] but the castle was not repaired.

In 1661 Sir James was nearing his end; he stated, in a petition which he addressed from Bute to the Parliament, that his 'great corpulency and valitudinary state of health' prevented him from travelling, 'especially at a season of the year when the roads were very deep, and no horse was to be found able to carry him.'[7]

He married Grizel, daughter of Sir Dugall Campbell of Auchinbrek, Baronet, and Dame Isobel Boyd, his second wife.[8] He had issue:—

1. DUGAL STEWART, his heir.

[1] 8 June 1630, Bute Writs, Miscel. Writings, ii. 5, 1-5. [2] 26 October 1658, Retours (Buteshire) 60 and 61. [3] 18 June 1640, Bute Inventory, Miscell. 447, 3, 1. [4] *Acta Parl. Scot.*, vi. 293*a*. [5] Petition, 22 November 1660, Bute Inventory, 448, 4. [6] *Ibid.* [7] Petition, Bute Inventory, 448, 6. [8] Charter, 16 March 1635; Conf., 18 February 1637; *Reg. Mag. Sig.* She, secondly, before December 1665, married Rev. Archibald Graham, *alias* M'Ilvernock, of the family of Obbe, minister of Rothesay, and afterwards Bishop of the Isles (Scott's *Fasti*, iii. 30, 449-450; Morrison's *Dict.* 6030).

2. *Sir Robert Stewart* of Tillicoultry, a Lord of Session, and Commissioner of Justiciary, under the title of Lord Tillicoultry, created Baronet 29 April 1707, Commissioner for Rothesay in the Scots Parliament 1678-89, one of the Commissioners to adjust the Treaty of Union between Scotland and England. Retired from the bench 1709. Married, first, 20 October 1685, Violet Hamilton, daughter of Archibald Hamilton of Rosehall. She was buried 1 January 1690.[1] Secondly, 25 August 1693, Cecil, born 1676, daughter of Robert Hamilton, Lord Presmennan. He had issue by his first wife:—

(1) *Bethia*, baptized 2 October 1686.
(2) *Agnes*, baptized 3 March 1688.

By his second wife he had:—

(1) *Sir Robert*, married Jean, daughter of Sir William Calderwood of Polton, a Lord of Session, and died 4 March 1767.
(2) *Hugh.* (3) *James*, a colonel. (4) *May.*
(5) *Anne*, married to Alexander Munro of Auchinbowie, and died 27 September 1763.
(6) *Catherine*, married to Alexander Murray of Cringelty, and died 21 July 1773.
(7) *Margaret*, married to Lennox of Woodhead.
(8) *Helen*, married to Andrew Lees, Esquire.
(9) *Cecil*, married to Edward Wright of Kersie, Stirlingshire.[2]

3. *Elizabeth*, said to have been married to Ninian Bannatyne of Kames.[3]
4. *Anne*, married, first, to Alexander Macdonald of Sana, secondly, to Walter Campbell of Skipnish.[4]
5. *Jean*, married to Angus Campbell, younger of Skipnish.[3]

Sir Dugal Stewart succeeded his father as second Baronet in 1662.[5] In 1659 he received a charter from his father of his hereditary offices, and the lands of Ardmaleish, etc., in Bute, and Furde, etc., in Midlothian.[6] After the Restoration he was (1665-70) Commissioner to Parliament for Buteshire. But about the same time there began a series of apprisings of his estates at the instance of creditors which continued during his life, and through a part of his son's; and on his death in 1670

[1] Edin. Marriage Register and Funeral Escutcheon, Lyon Office. [2] Wood's Douglas, *Peerage*. [3] *Ibid.* [4] *Ibid.* [5] Douglas, *Peerage*. [6] Charter and Sasines, 27 April 1659; Bute Writs, 3, 17; 3, 18 and 3, 19.

his free estate was escheated for debt at the instance of Lord Cochrane.[1]

He married in 1658, with advice and consent of his father, Sir James Stewart of Kirktoun, Knight, and Dame Grizel Campbell, his mother, Elizabeth, daughter of Sir John Ruthven of Dunglass, and his wife Barbara, daughter of Alexander Leslie, first Earl of Leven,[2] and had issue :—

1. JAMES.
2. *Dougal*, Commissioner for Buteshire 1705. Protested against the Union. Imprisoned in 1708 on suspicion of favouring a Jacobite invasion. In the same year he was elected M.P. for Buteshire and also for Perthshire, made no election which to sit for; was appointed a Lord of Session and Commissioner of Justiciary 1709, under the title of Lord Blairhall; died 16 June 1712.[3] He married, 10 March 1700,[4] Mary, daughter and heiress of John Bruce, younger of Blairhall, Perthshire, and had issue :—
   (1) *James* of Blairhall, succeeded 1712, died 1762. Married Mary, daughter of David Crawford of Allantown, and had issue, three sons and three daughters.
   (2) *John* of Annefield, died 1760. Married Anne, daughter of Francis, Earl of Moray, and had three sons and five daughters.[5]
3. *Isobel*, married, July 1675,[6] to Ninian Bannatyne of Kames, and had issue, Hector Bannatyne of Kames.
4. *Margaret*, married, October 1684, to Dougal Lamont of Steillag,[7] afterwards of that Ilk,[8] son of Archibald Lamont of Steillag, deceased.
5. *Barbara*, married Alexander Campbell of Barbreck.[9]
6. *Elizabeth*, married Alexander Stewart of Auchinskeoch.[10]

[1] Gift, 16 December 1670, of escheat of the late Sir Dugal to Lord Cochrane; Declarator, 19 July 1671; Bute Inventory, 55, 19, 1; 19, 2. [2] Contract of Marriage, 13 October and 3 November 1658; registered, Books of Council and Session, 24 February 1663. [3] Brunton and Haig, 488. [4] Wood, *Peerage*. [5] Douglas, *Baronage*, 244; and MS. Blair Family Tree, Bute Writs. [6] Sasine on contract of marriage, 7 July 1675; Bute Miscel. Writ., ii. 7. [7] Contract of marriage 21 October 1684; Bute Miscel. Writ., 15. [8] Charter, 11 June 1714, Bute Writs. [9] Annualrent oblig. by Earl of Bute, 1710, and discharges down to 1727; Bute Miscel. Writ., 13, 6; Douglas, *Peerage*. [10] Douglas, *Peerage*; Argyll Testaments, 21 December 1731.

Elizabeth, Sir Dougal's widow, seems to have died before the date of her son Sir James's marriage, as her consent is not mentioned in the marriage-contract.

I. SIR JAMES STEWART, succeeded his father as third Baronet in 1670. In the ensuing January the Earl of Dundonald received a gift of his ward, marriage and non-entry.[1] In 1671 Sir James was appointed bailie of the barony and regality of Glasgow.[2] In July 1680 he married Agnes, born 2 January 1663,[3] eldest daughter of Sir George Mackenzie of Rosehaugh, His Majesty's Advocate for Scotland.[4] Sir George had bought up the most part of the adjudications led on Sir James's estates,[5] and on his resignation, mainly, Sir James regained possession of the estates, by charter in 1687.[6] In July 1682 he obtained a lease of the Assize Herring of the western seas, with powers of justiciary to enforce his rights;[7] in April 1683 he was appointed colonel (as well as captain of a company) of the Militia Regiment of Foot in the shires of Argyll, Bute, and Dumbarton;[8] in June 1684, Sheriff-Principal of the shire of Tarbet,[9] and in February 1686 Sheriff of Argyll,[10] all in place of the forfeited Archibald, Earl of Argyll. Between these last dates he obtained, on 24 March 1685, an Act of Council and Session finding him qualified to exercise the office of an advocate and admitting him thereto.[11] This qualification enabled him to exercise all his judicial offices in person.

On 5 June 1685, when Sir James was absent with his regiment, the forfeited Earl appeared off the island of Bute with several frigates, harried his lands, and stormed and took the Castle of Allangreg, carrying off his stores, furniture, books, etc.[12] On the eleventh Sir George Mackenzie wrote from Edinburgh to Boyle of Kelburn begging him

[1] Gift, 13 January 1671, Bute Inv., 55, 19, 3. [2] 2 September 1671, Bute Inv., p. 449, 12. [3] *Complete Peerage*, s.v. Bute. [4] Marriage contract, 24 July 1680, Bute Writs, Miscel. Writ., ii. 2, 4. [5] Assignation, 4 July 1680, etc., Bute Writs. [6] Charter, on resignation of Sir George, John Boyle of Kelburn, and John MacNeil of Kilmory, 9 March 1687, *Reg. Mag. Sig.* It was by a purchase by Kelburn in 1674 that the office of hereditary Coroner of Bute came originally into the hands of Sir James and his heirs. [7] Tack, 22 July 1682, Bute Inv., 449, 17. [8] Commission, 10 April 1683, Bute Inv., 448-449, 11. [9] 16 June 1684, Bute Inv., 449, 13. [10] 25 February 1686, Bute Inv., 449, 14. [11] 24 March 1685, Bute Inv., 449, 15. [12] Letter from the Laird of Kames, dated on board *The King's Fisher*, 16 June 1685, Bute Writs.

to supply food to the islanders,[1] and engaging to see him reimbursed. On the fifteenth the King's ships arrived, retook the castle, and captured some of Argyll's ships;[2] but how much of the Sheriff's property was recovered is not recorded.

From 1685 till 1693 he represented Buteshire in the Scots Parliament. In the last-named year his seat was declared vacant owing to his failure to take the oath of allegiance and sign the assurance. He appears to have done so later, as in 1702 he was re-elected for the shire, made a member of the Privy Council, and a commissioner to treat for a union between Scotland and England. On 14 April 1703 he was created EARL OF BUTE, VISCOUNT KINGARTH, LORD MOUNT STUART, CUMRA, AND INCHMARNOCK, to himself and his heirs-male whomsoever.[3] The Earl absented himself from Parliament during the discussions of the treaty which was adjusted in 1706.

He received the freedom of the burghs of Renfrew (28 June 1683), Glasgow (15 November 1683), and Irvine (19 March 1709).[4]

He died at Bath on 4 June 1710, and was buried at Rothesay.[5]

By his marriage, already mentioned, he had:—

1. JAMES, second Earl of Bute.
2. *Margaret*, married, January 1697, to John Crawford of Kilbirnie, afterwards, 26 November 1703, Viscount Garnock,[6] grandson of John, fourteenth Earl of Crawford, and ancestor of the present Earl.

He married, secondly, Christian, daughter and co-heiress of William Dundas of Kincavil. She died at Edinburgh 25 May 1740, and was buried in the burial-ground of Dundas of Dundas, at Queensferry.[7] By this marriage he had:—

3. *John*,[8] born at Rothesay 6 September 1700, died at Rome without issue in December 1738.[9]

[1] Letter, 11 June, Sir George Mackenzie to Boyle of Kelburn, Bute Writs. [2] Kames's letter *ut sup.* [3] Patent, 14 April 1703, Bute Writs, Miscel. Writ., i. 1. [4] Bute Inventory, 451. [5] Monumental inscription. [6] Contract of marriage, 13 January 1697. [7] *Scots Mag.*, 237. [8] Rothesay Parish Register. Bond of provision in his favour, 9 March 1710, registered 5 October 1710 in the Books of Council and Session. [9] Crawford, *Peerage*, s.v. Bute; *Scots Mag.*, i. 44.

II. JAMES, second Earl of Bute, succeeded his father in 1710; was appointed Lord-Lieutenant of the county of Bute 19 August 1715; was also a Lord of the Bedchamber; and from 1715 till his death a Scots Representative Peer. As Lord-Lieutenant of Bute he commanded the Militia of the shires of Bute and Argyll during the Rebellion of 1715. On the deaths of his mother's brother, George Mackenzie of Rosehaugh, and of Sir Archibald Cockburn, her sister's elder son, he succeeded to the estates of his grandfather, Sir George Mackenzie.[1] The Earl died on 28 January 1723.

He married, in February 1711, Anne Campbell,[2] who died 20 October 1736,[3] only daughter of Archibald, first Duke of Argyll, and sister of John, Duke of Argyll and Greenwich, and Archibald, third Duke of Argyll,[4] and had issue:—

1. JOHN, third Earl of Bute.
2. *James Stuart Mackenzie*, who succeeded to the estates of Rosehaugh, according to the provisions of his great-grandfather, Sir George Mackenzie's will, and assumed his surname and arms. He was a member of Parliament from 1742 to 1748, Envoy Extraordinary to the King of Sardinia 1758, Keeper of the Privy Seal of Scotland 1762, and a member of the Privy Council. His retirement from office followed that of his brother.

   He married, 16 February 1749, his cousin, Elizabeth Campbell, daughter of John, Duke of Argyll and Greenwich, but left no issue. She died on 16 July 1799; he died on 6 April 1800.
3. *Archibald.*
4. *Mary*, married, 31 October 1729, to Sir Robert Menzies of that Ilk, Baronet,[5] and died at Castle Menzies, 30 December 1773, without issue.
5. *Elizabeth*, born 6 March 1717.[6]

[1] Much litigation having taken place before the death of Sir Alexander rendered the Earl's title undoubted. *See* Wood's Douglas, *Peerage*, i. 280a, *n.*, 286b. [2] Marriage contract, 8 and 19 February 1711, Bute Writs, Miscel. Writ., i. 6. [3] Musgrave, *Obituary*. [4] She married, secondly, 19 September 1731, Alexander Fraser of Strichen, a Lord of Session under the title of Lord Strichen, and left a son, Alexander Fraser of Strichen. [5] Rothesay Register of Marriages. Contract of marriage, 31 October 1729, Bute Writs, Miscel. Writ., ii. 10. [6] Rothesay Register.

6. *Anne*, married July 1736 (as his second wife) to James, Lord Ruthven, and died 28 November 1786, at Cumbernauld House, leaving four daughters.
7. *Jean*, married William Courtenay, had issue, and died at London 24 January 1802.
8. *Grace*, married John Campbell of Stonefield, afterwards a Lord of Session and Justiciary, with the title of Lord Stonefield, had issue, and died at Levenside 5 June 1783.

III. John, third Earl of Bute, K.G., was born in Parliament Square, Edinburgh, on 25 May 1713, and succeeded to the earldom at the age of nine and a half years, on the death of his father.[1]

He seems to have spent most of the earlier part of his life on his estates in Buteshire in the business of tree-planting and the study of botany. In 1737 he was elected a Scots Representative Peer, and appointed a Commissioner of Police for Scotland. In the following year he was created a Knight of the Thistle.[2] In 1750 he was made a Lord of the Bedchamber to Frederick, Prince of Wales, and, after that Prince's death, Groom of the Stole to his son, Prince George. When the Prince succeeded to the throne—as George III.—Bute was continued in that office till April 1761, when he was appointed Principal Secretary of State for the Northern Department. In the same year he was made Ranger of Richmond Park, and re-elected, for the first time since 1737, a Scots Representative Peer.

Though only now a Minister of State and a member of a House of Parliament, Bute had been virtual Prime Minister ever since the King's accession. He had come into power in the midst of the Seven Years War, and his policy was peace; but before he had assumed the position of first minister of the Crown he was forced into an additional war, in January 1762, with Spain. On 26 May of that year he became First Lord of the Treasury, and on the next day, having returned the Thistle, was made a Knight of the Garter. On 10 February 1763 he concluded the Treaty of Peace with France and Spain, to

[1] Retoured heir to James, Earl of Bute, his father, 25 October 1723, Register 58, f. 897. [2] Created 10 July, invested at Holyrood 15 August, 1738.

which his diplomacy had been directed, and on 8 April of that year he resigned his post of Prime Minister into the hands of the King. His resignation was accepted agreeably to a stipulation he had made with the King when he took office, that he should be released on the termination of the war. He retained the charge of the Privy Purse till August, and then vacated that office also, owing to his finding his service in the Government along with his successor, Grenville, to be impossible.

He then retired altogether into private life. For a minister of the Crown in his time he encountered the disadvantages of being a Scot, and a favourite of a not very popular Court, and during the whole course of his connection with politics was the object of the most malignant and irrational abuse by the Whig party in general and by the Londoners in particular. After his retirement from politics he became, in 1780, the first President of the Society of Scottish Antiquaries. In 1761 he was appointed Chancellor of Marischal College, Aberdeen, and an Honorary Fellow of the Royal College of Physicians, Edinburgh.

He died in London on 10 March 1792, and was buried at Rothesay.

On 24 August 1736 he married Mary, only daughter of Edward Wortley Montague of Wortley, Yorkshire, Ambassador at Constantinople, and his wife, the celebrated Lady Mary Wortley Montague, eldest daughter of Evelyn Pierrepont, first Duke of Kingston. The Countess eventually succeeded under her father's will to his estates in Yorkshire and Cornwall. On 3 April 1761 she was created BARONESS MOUNT-STUART OF WORTLEY in the county of York, in the Peerage of Great Britain, with remainder to the heirs-male of her then subsisting marriage with the Earl. 'This is a sensible way,' wrote Walpole before the patent was issued, 'of giving an English [*sic*] Peerage to her family regularly, and approved by all the world, both from her vast property and from her particular merit.'[1] She died on 6 November 1794, in her seventy-seventh year, at Isleworth, Middlesex.

They had five sons and six daughters:—

1. JOHN, fourth Earl and first Marquess.

[1] Letter, Walpole to Sir Horace Mann, 17 March 1761.

2. *James Archibald Stuart Wortley-Mackenzie*, born 19 September 1747; M.P. for various constituencies from 1768 till 1806; raised the 92nd Highland Regiment, and was appointed its lieutenant-colonel commandant 27 December 1779.[1] In 1794, on the decease of his mother, he succeeded to her estates in Yorkshire and Cornwall, and assumed the additional surname of Wortley. Afterwards, in 1803, on succeeding, on the decease of his uncle, the Rt. Hon. George Stuart-Mackenzie, to the estate of Rosehaugh, he further added the surname and arms of Mackenzie of Rosehaugh.[2] He married, 8 June 1767, Margaret, daughter of Lieut.-Gen. Sir David Cunynghame, Baronet, of Milncraig, and had:—

(1) *John* (Coldstream Guards), who, born 8 April 1773, died 14 January 1797 unmarried.

(2) *James Archibald*, born 6 October 1776 (98th Regiment and 1st Foot Guards), lieutenant-colonel, raised to the Peerage of the United Kingdom on 12 July 1826, as BARON WHARNCLIFFE OF WORTLEY, in the county of York, with remainder to the heirs-male of his body; succeeded by his son *John*, second Baron Wharncliffe, born 1801, died 1855, who was succeeded by his son, *Edward Montague Stuart Granville Montague-Stuart-Wortley Mackenzie*, third Baron Wharncliffe, born 1827, created EARL OF WHARNCLIFFE AND VISCOUNT CARLTON OF CARLTON, in the West Riding of Yorkshire, with remainder to the heirs-male of his body, failing whom to the heirs-male of the body of his brother, the Hon. Francis, whose line is represented by the present Earl.

(3) *George*, an officer in the Royal Navy, born 1783, died 1813.

(4) *William*, died an infant.

(5) *Mary*, born 23 August 1769, married, 1 June 1813, to the Right Hon. William Dundas, M.P., for Edinburgh, who died in 1845. She died on 9 March 1855.

(6) *Charlotte*, born 6 May 1771, died young.

(7) *Louisa Harcourt*, born October 1781, married, 22 June 1801, to George, Earl of Beverley, afterwards fifth Duke of Northumberland, who died in 1867. She died 31 January 1848, leaving issue, Algernon, sixth Duke, etc.

3. *Frederick*, born September 1751; died unmarried 17 May 1802; M.P. for Ayr Burghs 1776-80, Buteshire 1796-1802.

[1] Wood, *Peerage*, s.v. Bute. This was the original 92nd. [2] His nephew, Lord Herbert Stuart, contested the succession with him unsuccessfully. For an account of the litigations which arose over Sir George Mackenzie's will, *see* Wood, *Peerage*, i. 285a *n.*, 286b.

4. *Charles*, K.B., lieutenant-general 1798; born January 1753, colonel of the Cameronian Regiment 1777, served in America, the Mediterranean, and Portugal; was Governor of Minorca, and had a command at the siege of Malta in 1800.[1] He married Louisa, daughter and co-heiress of Lord Vere Bertie, third son of Robert, first Duke of Ancaster, and died on 25 May 1801, having had two sons:—

(1) *Sir Charles Stuart*, Joint Chargé d'Affaires at Madrid 1808, Envoy to Portugal 1810, Minister at the Hague 1815, Ambassador at Paris 1816, Ambassador at St. Petersburg 1841 till his death in 1845. G.C.B., and P.C. Created, 22 January 1828, BARON STUART DE ROTHESAY in the Peerage of the United Kingdom, with remainder to the heirs-male of his body, created also COUNT MACHICO, and MARQUIS OF ANGRA and Knight Grand Cross of the Tower and Sword in Portugal. He died 6 November 1845.[2] He married, in 1818, the Lady Elizabeth Margaret, daughter of Philip, third Earl of Hardwicke, and by her, who died in 1867, left two daughters and co-heiresses:—

i. *Charlotte*, married in 1835 to Charles John, Earl of Canning, K.G.

ii. *Louisa*, married, in 1842, to Henry, third Marquess of Waterford, K.P.

(2) *John James Stuart*, captain in the Royal Navy, born 1782, died 1811, having married, in 1807, Albinia, eldest daughter of the Right Hon. John Sullivan, and had an only son,

General Charles Stuart, of Hoburne, Christ Church, Hants, Vice-Lieutenant of the county of Bute, and colonel of the Duke of Cornwall's Light Infantry.

5. *William*, born March 1755, a Canon of Christ Church Oxford, Bishop of St. David's 1793; Archbishop of Armagh 1800, D.D. Married, 3 May 1796, Sophia Margaret Juliana, daughter of Thomas Penn of Stoke Pogis. She died in April 1847. He died on 6 March 1822, having issue:—

(1) *William Stuart*, of Tempsford Hall, in the county of Bedford, and Aldenham Abbey, in the county of Hertford.

(2) *Henry*, M.P. for Bedford.

(3) *Mary Juliana*, married to Thomas, second Earl of Ranfurly.

(4) *Louisa*.

6. *Mary*, born 20 January 1740, married, 7 September 1761, to James, Earl of Lonsdale, who died, without issue, 24 May 1802. She died 5 April 1824.

[1] *Dict. Nat. Biog.*, s.v. Lt.-Gen. Sir Charles Stewart. [2] *Ibid.*, s.v. Charles, Baron Stuart de Rothesay.

7. *Jane*, married, 1 February 1768, to George, Earl Macartney, and died in 1828.
8. *Anne*, married, 2 July 1764, to Hugh, second Duke of Northumberland, K.G., without issue. The marriage was dissolved by Act of Parliament in 1779.
9. *Augusta*, married to Captain Andrew Corbet, and died in 1778, leaving issue.
10. *Caroline*, married, 1 January 1778, to John, first Earl of Portarlington, and died 20 January 1813, leaving issue.
11. *Louisa*, died 4 August 1851, aged 94. She was of exceptional talents, and was authoress of several poems. A brilliant sketch by her of John, Duke of Argyll and Greenwich,[1] and a number of her letters, have recently been printed.[2]

IV. and I. JOHN, fourth Earl, was born at Mount Stuart 30 June 1744. In 1766 he became M.P. for Bossiney. In 1772 he was appointed Lord-Lieutenant of Glamorgan, and on 20 May 1776 was created BARON CARDIFF OF CARDIFF CASTLE, in the Peerage of Great Britain, with remainder to the heirs-male of his body. Viscount Mountstuart was thus a member of the House of Lords in his own right, while his father remained merely a Representative Peer. According to the resolution of the House of 1712, which was only rescinded in 1782, his father the Earl, being already a Scots Peer, was incapable of being made a British Peer, so far at least as the House of Lords was concerned. In 1778 Lord Mountstuart became colonel of the Glamorgan Militia, and in 1788 Provost of Rothesay. In 1779 he was made a Privy Councillor and British Envoy to Turin, and from March till December 1783 held the post of Ambassador at Madrid, under the style of Viscount Mountstuart.[3] In 1792 he succeeded his father as Earl of Bute. In 1793 he was

[1] *Some Account of John, Duke of Argyll and his Family*, privately printed, 1863, and again in *Letters of Lady Mary Coke*, 1889, Edinburgh, David Douglas; *Gleanings from an old Portfolio*, 3 vols. 1895-98, Edinburgh, David Douglas. [2] In 1793, after succeeding to the earldom, he resigned these offices in favour of his son, Viscount Mountstuart, but resumed them on the Viscount's death in the following year. [3] The title 'Viscount' did not indicate more than his courtesy rank; his father's only Viscounty being that of Kingarth.

admitted a member of the Royal Society, and in the following year was appointed Lord-Lieutenant of Buteshire, and on the death of his mother inherited the peerage of Baron Mount Stuart of Wortley. In 1795 he returned to Madrid as Ambassador, which office he held till 1796. On 27 February of that year he was created VISCOUNT MOUNTJOY IN THE ISLE OF WIGHT, EARL OF WINDSOR AND MARQUESS OF THE COUNTY OF BUTE, with remainder to the heirs-male of his body.[1]

He married, first, on 11 November 1766, Charlotte Jane, born 7 May 1746, eldest daughter, and eventually sole heiress of Herbert Hickman Windsor, Viscount Windsor and Baron Mountjoy, by his wife Alice, daughter of Sir John Clavering, Baronet. Through this marriage the estates of the Herberts, Earls of Pembroke, afterwards descended to the house of Bute. The Marchioness died on 28 January 1800, and the Marquess married, secondly, on 17 September, Frances, daughter of Thomas Coutts of the Strand, banker, who survived her husband, and died 12 November 1832.

The Marquess died at Geneva 16 November 1814, having had seven sons and two daughters by his first marriage, and a son and a daughter by his second, viz.:—

1. JOHN, Lord Mountstuart, of whom below.
2. *Herbert Windsor*, born in 1770, died unmarried in 1825.
3 *Evelyn James*, a colonel in the army, born 1773, died 16 August 1842.
4. *Charles*, in the Royal Navy, born 1775, lost in H.M. frigate *Leda* in 1796.
5. *Henry*, born 7 June 1777, married, on 15 July 1802, Gertrude Amelia, daughter and heiress of George Mason-Villiers, second and last Earl Grandison. Lord Henry died on 19 August 1809; his wife died eleven days after, leaving three sons and a daughter, all of whom on 17 November 1822 took the additional surname of Villiers. They were :—

(1) *Henry Villiers-Stuart* of Dromana, born 8 June 1803, M.P. for Waterford 1826-30, Banbury 1830. On 10 May 1839 he

[1] Patent sealed 1 March 1796.

was created BARON STUART DE DECIES in the Peerage of the United Kingdom, with remainder to the heirs-male of his body. He died at Dromana 23 January 1874. He was said to have married Madam de Ott, but her son, Henry Windsor Villiers, born 1827, died 1895, the politician, traveller, and Egyptologist,[1] was unable to establish his claim to the Peerage.

(2) *Captain William Villiers-Stuart*, born 21 August 1804, died 14 September 1879. Captain 12th Lancers, M.P. for Waterford, married, 1 June 1833, Catherine, daughter, and eventual heiress, of Michael Cox of Castletown, co. Kilkenny. Issue.

(3) *Charles Villiers-Stuart*, born 11 September 1808, died without issue 19 December 1871, having married, in November 1830, Elizabeth, daughter of Rear-Admiral John Rouet Smollett of Bonhill.

(4) *Gertrude Amelia*, who died unmarried in 1826.

6. *William*, a captain in the Royal Navy. Born 18 November 1778, died 28 July 1814, having married, in June 1806, Hon. Georgina Maude, daughter of Cornwallis, Viscount Hawarden. She died 31 August 1807, leaving issue an only daughter, Georgina, who died unmarried in 1833.

7. *George*, a rear-admiral in the Royal Navy, C.B. Born at Turin, 1 March 1780, married 7 October 1800, Jane, daughter of Major-General James Stewart. She died 1 February 1862, leaving issue:—

(1) *Henry Stuart* of Montford, Isle of Bute, born 1 January 1808, married 9 November 1840, Cecilia, fourth daughter of Charles Hammersley, and died 19 May 1880 (she died 28 February 1890), leaving issue, two sons and eight daughters.

(2) *Elizabeth Jane*, married 18 August 1825, to John, fourth Marquess of Townshend, and died 27 January 1877, leaving issue, besides three daughters, two sons, of whom the elder was fifth Marquess of Townshend, father of John, sixth and present Marquess.

(3) *Emily Frances*, married, 9 January 1834, to the Hon. Charles Abbott, son of Sir Charles, first Baron Tenterden of Hendon, and died 16 June 1886, leaving issue, Charles Stuart Aubrey, third Lord Tenterden, father of the present Baron.

8. *Maria Alicia Charlotte*, married to C. Pinfold, and died in 1841.

9. *Charlotte*, married, in 1797, to Sir William Jackson Homan, Baronet, and died 5 September 1847.

By his second marriage the Marquess had

10. *Dudley Coutts*, born 11 January 1803, educated at Christ's College, Cambridge, M.A. 1823. M.P. for

[1] *Dict. Nat. Biog.*, s.v. Henry Windsor Villiers.

Arundel 1830-37, and Marylebone 1847 till his death. His political career was mainly devoted by speech and pen to the cause of the Polish victims of Russian, Prussian, and Austrian oppression, and it was while at Stockholm on a mission to endeavour to induce the King of Sweden to join the Western Powers in measures for the reconstruction of Poland, as a measure of justice, and as a bar to the aggression of Russia, that he died, on 17 November 1854. He was buried at Hertford on 16 December. He married, in 1824, Christina Alexandra Egypta, daughter of Lucian Bonaparte, Prince of Canino, and had by her (who died on 19 May 1847) an only son:—

Paul Amadeus Francis Coutts (*Stuart*), a captain in the 68th Regiment, who died on 1 August 1889.

11. *Frances*, married, 15 September 1823, to Dudley, second Earl of Harrowby, K.G., and died 29 March 1859, leaving, besides two daughters, four sons, of whom the two elder surviving, *Dudley* and *Henry*, became successively the third and fourth Earls, the last-named being the father of the fifth and present Earl.

JOHN, VISCOUNT MOUNT-STUART, born 25 September 1767, was elected M.P. for Cardiff in 1790. In 1793 his father resigned in his favour the offices of Lord-Lieutenant of Glamorganshire, Provost of Rothesay, and colonel of the Glamorgan Militia. But on 22 January 1794 he died, as the result of a blow on the head while riding on horseback. On 12 October 1792 he married, at Dumfries House, Elizabeth Penelope, born at Dumfries House 25 November 1772, only surviving child and heiress of Patrick Macdowall Crichton, Earl of Dumfries (*see that title*), by Margaret, daughter of Ronald Crawford of Restalrig, Midlothian. Lady Mount-Stuart died on 25 July 1797 at Southampton, and was buried, 16 August, at Cumnock.

They left two sons:—

1. JOHN, Lord Mount-Stuart, afterwards second Marquess of Bute, of whom presently.
2. *Patrick James Herbert*, afterwards Lord Patrick James Crichton-Stuart, commonly called Lord James Stewart, born, after his father's death, 25 August

1794; Lord-Lieutenant for the county of Bute 1848, M.P. for Bute 1820-26, Ayr Burghs 1834-52, Ayrshire 1857-59. He assumed the additional surname of Crichton in March 1817, and had a patent of the precedence of a younger son of a Marquess, 28 May of the same year. He married, 13 July 1818, Hannah, daughter of William Tighe of Woodstock, co. Kilkenny, M.P., and died 7 September 1859, having had by her, who died 5 June 1872:—

(1) *Lieut.-Colonel James Frederick Dudley Crichton-Stuart*, Grenadier Guards, born 17 February 1824, M.P. for Cardiff 1857-1880, Lord-Lieutenant for Buteshire 1859. On 28 July 1864 he married Gertrude Frances, daughter of the Rt. Hon. Sir G. Hamilton Seymour, G.C.B., and died 24 October 1891, leaving issue:—

i. *Patrick James*, born 6 January 1868, a Deputy-Lieutenant of the county of Bute, late lieutenant Grenadier Guards; married, first, 23 July 1894, Cecil, younger daughter of John Kirk of Annevale, in the county of Armagh, a Deputy-Lieutenant of Armagh, and has by her, who died 13 June 1895, a daughter, Cecilia. He married, secondly, 6 October 1904, Helen Kate, daughter of Dr. J. C. Phillipps of Jamaica, and widow of the Hon. Arthur James D. S. St. Aubyn.

ii. *Dudley*, born 4 March 1871.

iii. *Constance*.

iv. *Audrey*.

(2) *Herbert*, born 5 August 1827, Deputy-Lieutenant county of Bute, married, 28 August 1860, Fanny Adelaide, third daughter of John Labouchere of Broomhall, Surrey, brother of Henry, Lord Taunton, and died in December 1891 leaving issue.

(3) *Mary Anne Frances*, died 10 December 1886, unmarried.

V. and II. JOHN CRICHTON-STUART, fifth Earl and second Marquess of Bute, also sixth Earl of Dumfries, K.T., born 10 August 1793. When he was five months old he became, by courtesy, Lord Mount-Stuart, on the death of his father; when he was four years old his mother died, and at the age of nine years and a half—7 April 1803—he inherited the Earldom of Dumfries from her father. On 26 August 1805, on the petition of his grandfather, the Marquess, he received a Royal Warrant to take and use the surname of Crichton in addition to and before that of Stuart, and to bear the arms of Crichton quarterly with those of Stuart.[1] He was educated at Christ College,

[1] Recorded, College of Arms, 6 September 1805.

Cambridge, M.A. (hon.) 1812. Before his majority he travelled extensively over Europe and the Mediterranean. In 1814, at the age of twenty-one, he became Marquess of Bute, etc., on the death of his grandfather, the first Marquess. In 1815 he was made Lord-Lieutenant of the counties of Bute and Glamorgan, and colonel of the Glamorgan Militia. On 10 June 1834 he was made a D.C.L. of Oxford, on 6 July 1835, LL.D. of Cambridge. In the years 1842-43-44 he was Lord High Commissioner to the General Assembly. On 13 June 1843 he was created a Knight of the Thistle. He was a member of the Royal Society, the Society of Antiquaries, and several other learned bodies. In politics he was a supporter of the Duke of Wellington and Sir Robert Peel, and was an early advocate of Roman Catholic Emancipation. His principal energies, however, were devoted to the development of his estates, and to the laying the foundation of the port of Cardiff, which he said he intended to make 'a second Liverpool.' He died at Cardiff Castle on 18 March 1848, and was buried at Kirtling, Cambridgeshire.

He married, first, on 29 July 1818, Maria, born 26 December 1793, daughter and co-heiress of George Augustus North, third Lord Guilford. After her death, without issue, on 11 September 1841, he married, secondly, on 10 April 1845, at Loudoun Castle, Sophia Frederica Christina, born 1 February 1809, daughter of Francis Rawdon Hastings, first Marquess of Hastings, and his wife Flora Muir, Countess of Loudoun in her own right. By her, who died on 28 November 1859, he had an only son, JOHN, who succeeded him as third Marquess, etc.

VI. and III. JOHN PATRICK, sixth Earl and third Marquess of Bute, and seventh Earl of Dumfries, K.T., born 12 September 1847 at Mount Stuart. He was given the courtesy title of Earl of Windsor, but at the age of six months succeeded to his father's Peerages. In 1859, at the age of nine and a half, he became an orphan by the death of his mother. He was educated at Harrow and Christ Church, Oxford. In 1868 he became Hon. Colonel of the Glamorgan Artillery (V.). He was a member of the Royal Company of Archers. In February 1875 he was created a

Knight of the Order of the Thistle. In 1892 Lord-Lieutenant of the county of Bute, 1890 Mayor of Cardiff, 1896-1899 Provost of Rothesay, LL.D. of the Universities of St. Andrews (1893), Glasgow (1879), and Edinburgh (1882); president of the University College, Cardiff; and twice Lord Rector of the University of St. Andrews (1892, 1898). Member of the Scottish Universities Commission (1889), president of the British Archæological Association in 1888.

His energies were principally devoted to historical and liturgiological subjects, and the writings which issued from his own pen, or under his direction, on these and other subjects are numerous. His interest in the older universities, and in burgh administration, arose in great measure from his anxiety to retain or restore the ancient order of things, and the same feelings of reverence for the past induced him to take measures for the restoration or preservation of Rothesay and Cardiff castles, Castel Koch, and Falkland Palace, the Old Place of Mochrum, Crichton Peel, etc., the Priories of Pluscardine and St. Andrews, and several churches. He presented a University Hall to Glasgow University, and a Medical Hall to the University of St. Andrews. He died at Dumfries House on 8 October 1900. His body was laid in the chapel by the shore at Mount Stuart, and in obedience to his instructions his heart was conveyed to Jerusalem, and buried on the Mount of Olives in presence of his family on 13 November following. On 16 April 1872 he married Gwendolen Mary Anne, eldest daughter of Edward George Fitzalan Howard, second son of Henry, thirteenth Duke of Norfolk, K.G., and had :—

1. John, who succeeded him as fourth Marquess.
2. *Ninian Edward*, born 15 May 1883.
3. *Colum Edmund*, born 8 April 1886.
4. *Margaret*, born 24 December 1875.

VII. and IV. John, seventh Earl and fourth Marquess of Bute and eighth Earl of Dumfries, was born 20 June 1881, and succeeded his father in October 1900. During his father's life he bore the title of Earl of Dumfries. He was educated at Harrow and Christ Church, Oxford, and is a member of the Royal Company of Archers, King's Bodyguard for Scotland.

CREATIONS.—28 March 1627, Baronet of Scotland and Nova Scotia; 14 April 1703, Earl of Bute, Viscount of Kingarth, Lord Mount Stuart, Cumra, and Inchmarnock, in the Peerage of Scotland; 3 April 1761, Baron Mount Stuart of Wortley; 20 May 1776, Baron Cardiff of Cardiff Castle; 27 February (patent sealed 1 March) 1796, Viscount Mountjoy of the Isle of Wight, Earl of Windsor, and Marquess of the county of Bute, in the Peerage of Great Britain.

ARMS.—Quarterly: 1st and 4th, or, a fess chequy azure and argent, within a double tressure flory-counterflory gules, for *Stuart*; 2nd and 3rd, a lion rampant azure, armed and langued gules, for *Crichton*.

CRESTS.—A demi-lion rampant gules, for *Stuart*; a dragon vert, breathing flames proper, for *Crichton*; a wyvern vert, charged on the breast with a cross crosslet or, holding in its mouth a sinister hand couped at the wrist gules, for *Herbert*.

SUPPORTERS.—Dexter, a horse argent, bridled gules; sinister, a stag proper.

MOTTOES.—Over the Stuart crest, *Nobilis est ira leonis*. Beneath the shield, *Avito viret honore*.

The quartered arms of Crichton-Stuart were exemplified at the College of Arms, London, 13 September 1805. The Herbert Crest was granted by Garter King of Arms 29 May 1822. The Supporters were granted by Garter King of Arms 3 July 1776, with, for difference, a label, to the first Marquess of Bute when, during his father's life, he was created Baron Cardiff.

[J. H. S.]

ANCIENT EARLS OF CAITHNESS

THIS title is of great antiquity, and has been held by various families.

The most ancient Maormors or Earls of Caithness were of native race, and had their stronghold near the top of the promontory known as Duncansby Head. It appears to have been of a circular form. The word was anciently written 'Dungalsbae.' Frequent sea-fights occurred beneath this headland.[1] Subsequently the Norwegian Earls of Orkney possessed the earldom for many generations. 'They held the Islands of Orkney under the King of Norway, according to Norwegian custom, by which the title of Jarl or Earl was a personal title. They held the earldom of Caithness under the King of Scotland, and its tenure was in accordance with the laws of Scotland.'[2]

I. DUNCAN, DUNGAD, DUNGADE, or DUNGALDUS, is the first on record who held the title. His name occurs, 875, in Torfæus's *History of Orkney*. He married Groa, daughter of Thorstein the Red, son of Olaf, King of Dublin. Thorstein had crossed with Sigurd, Earl of Orkney, to Caithness, and conquered the country as far as Ross. After the death of Sigurd, Thorstein became possessor of Caithness, Sutherland, etc.[3]

[1] *Origines Par. Scot.*, ii. 794-795. [2] Skene, *Celtic Scotland*, iii. 448.
[3] Torfæus, lib. i.; *Origines Par. Scot.*, ii. 795.

Earl Dungad had a daughter Grelod or Grelauga, married, 941, to Thorfinn Skullsplitter, who had by her a son, Hlodver or Ludovic. He also had other four sons, Harvard-Arsael, Liot, Skuli and Arfinn.[1]

II. LIOT, third son of Earl Thorfinn; married Ragnald, daughter of Eric Bloodyaxe, who had already been married to his two brothers. Skuli, his brother, obtained the title from the King of Scots, but was slain in an engagement with Liot 'in the Dales of Caithness.' Liot thus became sole Earl, but was slain by Earl Magbrad, a native chieftain, at Skitten, in the parish of Wick.[2] He was succeeded by

III. THORFINN, son of Sigurd, grandson of Hlodver and his wife Audna, daughter of Kiarval, King of Ireland. His mother was a daughter of Malcolm II. of Scotland. At his father's death Thorfinn was only five years old. 'His grandfather having heard of Sigurd's death gave Thorfinn Caithness and Sutherland, with the title of Earl, and men to assist him in ruling.'[3]

Thorfinn lived chiefly in Caithness. 'He was above the middle stature, of stern countenance, with black hair and a thin, swarthy visage . . . skilled in war, and prone to engage in it.' He died about 1056. Married Ingibiorg, daughter of Jarl Finn Arnason, and had two sons:—

1. PAUL.
2. ERLEND.

His wife survived him, became the first wife of King Malcolm III., 'Ceanmor,' of Scotland, and died before 1070.

IV. MODDAN, 'sisters son' to Kali Hundason, King of Scotland, a potentate not clearly identified by Scottish historians, but who, it has been suggested, may have been King Duncan I., son of Crinan, the lay Abbot of Dunkeld,[4] engaged in battle with Thorfinn and Thorkell-Fostri, and was made Earl on Thorfinn's refusing to pay tribute to Karl (subsequently to 1034). Moddan's headquarters were at Thorsa, where Thorkell came on him by night, and

[1] *Orkneyinga Saga*, pref. xxiv, xxv. [2] *Origines Par. Scot.*, ii. 794.
[3] *Orkney. Saga*, 5, 29; Torfæus, i.; *Origines Par. Scot.*, ii. 795. [4] *Celtic Scotland*, i. 400-404; cf. *Hist. Berwickshire Naturalists' Club*, 1901, 145.

setting fire to the house where he slept, slew him when attempting to escape.[1]

V. and VI. PAUL and ERLEND, sons of Thorfinn, held the lands and titles of Orkney and Caithness jointly.[2]

VII. HARALD SLETTMALI, son of Hakon, son of Earl Paul, 'appears to have held the whole of Caithness from the King of Scots.'[3]

VIII.[4] ROGNVALD. This Earl seems to have been a nobleman named KALI KOLSON, who changed his name to Rognvald. He was the son of Kol a Norwegian, by Gunhild, daughter of Earl Erlend and sister of Earl Magnus of Orkney, known as St. Magnus. He at first was Earl of Orkney, but after 1139 shared Caithness also with Harald Maddadson. (*See below.*) He was slain in 1158,[5] having had issue a daughter *Ingigerd*, married to Erick Slagbrellir, by whom she had three sons, the eldest of whom, Harald Ungi, is referred to below.

IX. HARALD MADDADSON, the son of Earl Paul's sister, Margaret, and Maddad or Madach, Earl of Atholl (*see that title*), was the next Earl. He had been made Earl of the half of Orkney and Caithness by his mother's influence in 1139, when only five years old. His mother married, after 1152, Erlend Ungi (*see next* Earl), who was killed in 1156.[6]

Harald Maddadson, on Erlend's death, shared with Earl Rognvald of Orkney, Orkney and Caithness. But after Rognvald's death the King of Norway gave to his grandson HARALD UNGI an Earl's title, with the half of the Orkneys, and by agreement with Earl Harald King William the Lion gave to Harald Ungi the half of Caithness which had belonged to his grandfather Earl Rognvald, but they afterwards quarrelled and Earl Harald Ungi was slain by the other Earl Harald, who again possessed the whole.[7]

His first wife was Afreka, a sister of Duncan, Earl of Fife; his second, Gormlath or Hvarflod, a daughter of

[1] *Orkney. Saga*, 37; Torfæus, i.; *Origines Par. Scot.*, ii. 796; Skene, *Celtic Scotland*, iii. 448. [2] *Origines Par. Scot.*, ii. 797. [3] Skene, *Celtic Scotland*, iii. 448. [4] MacWilliam is designated Earl of Caithness in a charter of King David I. to the Monastery of Dunfermline, 1129. [5] *Orkney. Saga*, xxxv. 85, 184. [6] *Ibid.*, 108, 114, 161, 170. [7] Skene *ut supra*, 449.

Macheth of Moray. Harald was the person who mutilated the Bishop of Caithness, for which King William attacked him in 1201. He lost Sutherland, which was given to Hugo Freskin de Moravia, the ancestor of the Earls of Sutherland, and besides had to pay 2000 marks of silver. Earl Harald died 1206. He had issue:—

1. *Torphin*, who became a hostage for his father, and on his renewed rebellion had his eyes put out, was emasculated, and died in prison.
2. DAVID, his successor.
3. JOHN, who subsequently succeeded.

X. ERLEND UNGI, son of Harald Slettmali, was made Earl of Caithness by Malcolm IV., who gave him 'half of Caithness, Earl Harald Maddadson having the other half.'[1]

XI. DAVID, son of Harald Maddadson, 'who died 1214,' and was succeeded by his brother.[2]

XII. JOHN, who became sole Earl of Orkney and Caithness, and was Earl, 1222, when Adam, Bishop of Caithness, was assaulted in his episcopal residence at Halkirk, and burned to death 'in his presence, but apparently without his consent.' A dispute about tithes was the cause of this occurrence. Earl John had declined interference. King Alexander II. afterwards deprived John of the earldom of Caithness, but eventually allowed him to redeem it. The Earl 'was murdered at Thorsa by Hanef, the quæstor of the King of Norway, and others, who set fire to his house, and dragging him from a cellar in which he had taken refuge, slew him with nine wounds.'[3] This happened in 1231, and by his death it is said the line of Paul came to an end.[4] Mr. Skene suggests that Johanna, Lady of Strathnaver, the wife of Freskin de Moravia, and who was dead in 1269, was the daughter of Earl John. It is certain that after this date the original earldom appears as divided into two parts, the two daughters of Joanna having a fourth part each, making one-half of the whole, while the

[1] Skene, *Celtic Scotland*, iii. 449. [2] Skene *ut supra*, 449. [3] *Origines Par. Scot.*, ii. 805; *Records of Bishoprick of Caithness*, 9, 10. [4] Skene *ut supra*, 450.

other half was apparently given in 1232, with the title of Earl, to

XIII. Magnus, who is usually designed 'son of Gillebride, Earl of Angus, called Earl of Caithness,' 1232. This statement was first made by Sir James Dalrymple in his *Collections*, but he gives no proof, while a charter noted in an old Inventory of Oliphant writs, made about 1594, and preserved in the General Register House, states that Magnus was the son of Gilchrist, Earl of Angus, who died about 1204, thus being the grandson of Earl Gillebride, which seems to fit all the facts better. The writ, as noted, states that he received from Alexander II. the south half of Caithness, which corroborates the theory of division. Sir James Dalrymple further says that Magnus was to pay £10 sterling yearly to the King and his successors.

Magnus probably had a Norwegian mother, through whom he received the earldom of Orkney, which the King of Scots could not have given him, and Mr. Skene suggests that this Earl was the son of one of Harald Ungi's sisters, the name Magnus being peculiar to the line of Erlend.'[1] Dr. Anderson, on the other hand, adopts the view that 'Gilbride, Earl of Angus, married a sister or daughter of John, Earl of Orkney, son of Harald Maddadson,' but no authority is given for this, which seems merely to be an echo of Sir James Dalrymple, while the dates render the statement doubtful. (*See title* Angus, vol. i. of this work, pp. 162-164.) On 7 July 1235 the Earl of 'Katanay' witnesses a charter by King Alexander II. to the Earl of Dunbar. Earl Magnus died in 1239.[2]

XIV. Gilbert, Earl of Orkney and Caithness, was probably the Earl of Caithness named in 1244 as one of the nobles who pledged themselves to the Pope on behalf of the treaty with England.[3] He died 1256. Bishop Tulloch, in his statement, refers to two Earl Gilberts, but *The Annals* only notice one, 'Gilbride, whom they call Gibbon, Earl of Orkney.' This is the more probable version, and

[1] Skene *ut supra*, 450. [2] *Orig. Par. Scot.*, ii. 805; *Orkney. Saga*, cxxix.
[3] *Cal. Doc. Scot.*, i. No. 1655.

this Earl Gilbert is further vouched for by a charter, cited below, in the Dupplin Charter-Chest.[1] Issue:—

1. MAGNUS, who succeeded.
2. *Matilda*, married to Malise, Earl of Strathearn. (*See that title.*) This is proved by his charter, dated at Crieff 12 December 1257, granting to the monks of Inchaffray the advowson of the church of Cortachy, in the diocese of Brechin, and obliging himself and his heirs which he had by his wife Matilda, daughter of Gillebert, *late* Earl of Caithness and Orkney, to warrant the grant.[2] Matilda was mother of the next Earl of Strathearn, and it is more than probable that it was through her that the Earldoms of Caithness and Orkney came to his grandson.

XV. MAGNUS. He accompanied Haco on his ill-fated expedition in 1263. 'With King Hakon from Bergen went Magnus, Earl of Orkney, and the King gave him a good long ship.'[3] Died 1273. Issue, so far as known:—

1. MAGNUS.
2. JOHN.

XVI. MAGNUS, *anno* 1276, received the title from Magnus, King of Norway, at Tunsberg. He also appears as Earl of Orkney in the documents dated 5 February 1283, declaring Margaret, the Maiden of Norway, the nearest heir to the Scottish throne.[4] He died 1284, without issue, and was succeeded by his brother,

XVII. JOHN, who, 'as Earl of Caithness, appears in 1289 as one of the signatories to the letter addressed by the nobles to King Edward of England proposing that the young Prince Edward should marry Margaret, the Maid of Norway.' He was summoned to attend the first Parliament of Baliol, and swore fealty to King Edward at Murkle in Caithness, in August 1297. 'Earl Johan de Catanes' joins in confirmation by the Parliament at Brigham of the Treaty of Salisbury, 1290. On 12 May 1291, he had a letter of safe-

[1] Pref. *Orkney. Saga*, xlvii; *Orig. Par. Scot.*, ii. 805. [2] Original charter at Dupplin. This important writ was unknown to the late Dr. W. F. Skene, whose views on the earldom of Caithness it would have materially modified. [3] Pref. *Orkney. Saga*, xlvii. [4] *Ibid.*, xlix.

conduct *cum familia* to go to King Edward in safety, while on 28 August 1296, he 'had letters of protection from King Edward for one year following Michaelmas.'[1] He is said in the *Orkneyinga Saga* 'to have been betrothed to King Eirik's daughter in 1299.' She was then two years old and the Earl a man of forty. Earl John died before 28 October 1312.[2] His heir and successor, probably his son, was

XVIII. Magnus, who first appears on 28 October 1312 as a witness to the treaty between King Robert Bruce and King Hakon v. of Norway.[3] On 6 April 1320, as Earl of Caithness and Orkney, he signed the letter addressed by the Scottish nobility to Pope John.[4] He may have been dead before 1321, and certainly died before 1329, when 'Caterina Comitissa Orcadiæ et Cathanesiæ' grants a charter 'in viduitate,' in which she refers to her late husband as heir of Earl John.[5] Magnus does not appear to have left heirs, as the earldom, or rather that portion of it which his line held, passed to Malise, Earl of Strathearn, evidently as the direct descendant of Matilda, daughter of Earl Gilbert.

Malise, the last of that name, Earl of Strathearn, succeeded, doubtless in right of his great-grandmother Matilda, already referred to, of whom he was the direct, and apparently the only, male heir, which corroborates the statement of Bishop Tulloch that he succeeded Earl Magnus by hereditary right in both the earldoms of Orkney and Caithness. Descent from Matilda would give complete right to both. But though he held the title, he appears to have possessed only the fourth part of the territory of Caithness, with the rents of which he is charged in the Exchequer Rolls of 1331.[6] The other fourth part or half of the territory held by Magnus was probably held by Margaret, spouse of Simon Fraser, who, as 'one of the heirs of the Earl of Caithness,' made a claim to the earldom in 1330.[7]

This Earl will be treated of more fully under the title of

[1] Stevenson, *Hist. Doc. Scot.*, 1286-1306, i. 129, 228; ii. 81. [2] Pref. *Orkney. Saga*, li, lii. [3] *Acta Parl. Scot.*, i. 463, 464. [4] *Ibid.* [5] *Orkney. Saga*, lv. [6] *Exch. Rolls*, i. 404. [7] *Acta Parl. Scot.*, i. 511.

Strathearn. His wife was Marjorie, daughter of Hugh, and sister of William, Earl of Ross. He died between 1344 and 1350,[1] leaving issue, so far as known:—

1. *Matilda*, married to Wayland (?) de Ard, stated to be the eldest daughter of Malise.[2]
2. *Isabella*, declared by her father to be the heiress of the earldom of Caithness in a grant of her marriage on 28 May 1344 to William, Earl of Ross, her uncle.[3] She was married to Sir William Sinclair of Roslin, and her second son, Henry Sinclair, was made Earl of Orkney.[4] (*See that title.*)
3. *Agneta*, married to Arngils or Erngisl Sunneson, who was made Earl of Orkney, 1353, by the King of Norway, but was deprived of his title in 1357.[5]
4. —— married to Guttorm Sperra.[6]

The standard of these Earls 'had a black raven woven in it with exquisite art, as if the raven was soaring up in a breeze of wind.' [7]

[J. B. C.]
[J. A.]

[1] He may have died before 31 October 1345, on which date, according to Sir Robert Gordon, the earldom of Strathearn was conferred on Maurice Moray, son of Sir John Moray of Drumsargard. [2] Skene *ut supra*, 453. [3] This date has been frequently misquoted as 1334, which has led to much confusion, but 1344 is the correct year, as appears from an old extract of the charter by Earl Malise to the Earl of Ross, preserved at Dunrobin; cf. *Sutherland Book*, iii. 19. [4] Pref. *Orkney. Saga*, cxxxv; compare Skene *ut supra*, 452, 453; also *Scottish Antiquary*, iv. 4. [5] *Orkneyinga Saga*, 1873, Pref. lix. [6] In a writ dated at Kirkwall 20 January 1364-65 [*Reg. Epis. Aberdonensis*, i. 106], a 'Eufamia de Strath-erryn appears as a witness, who is described as one of the heirs of the late Earl Malise of Strathern, but the exact relationship is uncertain. [7] Pope's Torfæus, 26.

STEWART, EARL OF CAITHNESS

DAVID, elder son of King Robert II., by his second marriage with Euphemia Ross, was under age in 1373, when his father made an entail of his Crown on the sons of his first wife *nominatim*, whom failing those of his second.[1] He was created Earl of Strathearn between 22 February 1371 and 19 June same year, when he obtained a charter of the barony of Urquhart.[2] He received the Castle of Braal in Caithness 21 March 1374-75,[3] and he was also created Earl of Caithness between that date and 28 December 1377, when he is styled EARL PALATINE OF STRATHERN AND CAITHNESS.[4] He had a safe-conduct to come to England with forty horse in February 1381-82,[5] and died before 1389,[6] leaving a daughter by his wife, who appears to have been a daughter of Sir Alexander Lindsay of Glenesk, and sister of the first Earl of Crawford (*see that title*),

EUPHEMIA, who succeeded her father.

II. EUPHEMIA, Countess Palatine of Strathern, resigned the earldom of Caithness in favour of her uncle Walter, Earl of Atholl,[7] before 1402. She was married,[8] first,

[1] *Acta Parl. Scot.*, i. 549. [2] *Exch. Rolls*, iv. pp. cxvi, clix; *Reg. Mag. Sig.*, fol. ed., 122. [3] *Ibid.*, 137. [4] *Ibid.*, 150. [5] *Rotuli Scotiæ*, ii. 42. [6] Nisbet's *Heraldry*, ii. 30. [7] Robertson's *Index*, 149, No. 57. [8] *Exch. Rolls*, iv. p. clix.

before December 1406, to her second cousin, Patrick, son of Sir Patrick Graham of Dundaff, who died 10 August 1412; and secondly to Sir Patrick Dunbar of Bele, with issue. She was still alive in 1434.[1] (*See title* Strathearn.)

III. Walter Stewart, Earl of Atholl, second son of King Robert II., had a charter of the earldom of Caithness on the resignation of his niece Euphemia, and is styled Earl of Caithness in July 1402 and March 1406,[2] and after May 1409, Earl of Atholl.[3] (*See title* Atholl.)

IV. Alan Stewart, youngest son of Earl Walter, became on his father's resignation Earl of Caithness about 1428, and obtained from King James I. a patent under the Great Seal of the title to him and to the heirs-male of his body, whom failing to his father, 15 May 1430.[4] He was killed in battle at Inverlochy in 1431, opposing Donald Balloch, a kinsman of Alexander, Lord of the Isles. He left no issue.

Creation.—1371. Earl Palatine of Strathearn and Caithness.

Arms.—Walter Stewart, Earl of Caithness, bore on his seal, quarterly: 1st, the royal arms debruised by a label; 2nd, Paly of six, for *Atholl*; 3rd, three piles, for *Brechin*; 4th, a lion rampant crowned, for *Galloway*; over all, a ship under sail, for *Caithness*.

Crest.—On a helmet with capeline and chapeau, a lion sejeant guardant, crowned, holding in his dexter paw a sword erect.

Supporters.—Within a hedge of stakes, dexter a stag gorged and chained; sinister, a lady reclining against a tree.[5]

[A. F. S.]

[1] *Exch. Rolls*, iv. pp. clix, 592. [2] *Ibid.*, iii. 545-648. [3] *Ibid.*, 84. [4] *Reg. Mag. Sig.* [5] As Mr. W. R. Macdonald points out in his *Scottish Armorial Seals*, No. 2573, the general design of this seal is almost identical with that of the seals of the third and fourth Earls of Angus.

CRICHTON, EARL OF CAITHNESS

STEPHEN CRICHTON of the Carnis or Cairns, whose ruined castle may still be seen midway between Edinburgh and Lanark, is said to have been the second son of William de Crichton *dominus ejusdem*, who was alive in 1382,[1] and younger brother of Sir John Crichton, *de eodem*, who was the father of William, first Lord Crichton (*see that title*). He acquired the lands of Little Denny in Herbertshire in 1410.[2]

On 2 February 1418 he was witness to a charter by Robert, Duke of Albany, confirmed 27 October 1428.[3] He was Sheriff of Linlithgow in 1432,[4] and was alive on 4 January 1433-34, when, along with James Parkle of Linlithgow, he granted letters of obligation in favour of Andrew Ker of Altonburn, in connection with the lands of Borthwickshiels, which Andrew had acquired from George of Crichtone of the Blaknes.[5]

He had at least two sons:—

1. George.
2. *James* of Ruthven. On 29 April 1452 he received a grant for his life of the King's lands of Rothvene,

[1] *Chartulary of Newbattle*, 234. [2] *Hist. MSS. Rep.*, vii. 706a. [3] *Reg. Mag. Sig.* [4] *Earls of Haddington*, ii. 230. [5] *Hist. MSS. Rep.*, xiv. App. iii. 11.

called Rothvendavid, in the lordship of Brechin, and in the charter thereof he is designed as 'frater Georgii de Crechtoun de Carnis.'[1] This grant must have been afterwards extended to his heirs, who possessed the estate for many generations. He was Provost of Edinburgh from 1478 to 1483, and sat in Parliament on various occasions.[2] He married Agnes Hepburn, in favour of whom, as well as of himself, he received, on 18 July 1480, a charter of the lands of Blakhouse, in the lordship and barony of Crawford-john, which he had purchased from his cousin David, Earl of Crawford.[3] By this lady he had, with other issue:—

(1) *Adam.* He married, first, Elizabeth Stirling, daughter of William Stirling of Keir, from whom on 25 June 1479 they received a charter of the lands of Kippendavy. It has been stated that there was no issue of this marriage,[4] but the fact is that by Elizabeth Stirling, who died before 10 September 1503, Adam Crichton had at least:—

i. *James*, who had a charter in 1506, in his father's lifetime, of the lands of Craigs.[5]

ii. *Adam.*

iii. *Abraham*, who obtained considerable preferment in the Church, and became Provost of Dunglas and Official of Lothian. On 17 February 1548 he was appointed a Lord of Session.[6] He died prior to 15 November 1565.[7] He had a natural son *George*, who was proprietor of the lands of Clunie in Fife, and died prior to 7 February 1583, leaving two daughters.[8]

These three sons are all called in an entail of the Keir estates contained in a charter of 10 September 1503.[9] Under the designation of Adame Crechtoun of Kependavy, Knycht, he is witness to a deed by Archibald, Earl of Argyll, dated 7 December 1497.[10] Adam Crichton married, secondly, Isobel Gray, daughter of Andrew, Lord Gray, and relict of James Scrymgeour, Constable of Dundee, who died in 1503. In 1510 Alexander, Lord Hume, granted to his beloved uncle Adam Crichton of Rothvene, Knight, and Isobel Gray, his spouse, a charter of the half lands of Innerallone, within the sheriffdom of Streveling and barony of Hume.[11] Adam Crichton was survived by Isobel Gray, who in a charter of the foresaid half lands of Innerallone, dated 18 November 1516, is described as his relict,[12] and also

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[1] *Reg. Mag. Sig.* [2] *Acta Parl. Scot.*, ii. *passim.* [3] *Reg. Mag. Sig.* [4] *Stirlings of Keir*, 28. [5] *Laing Charters*, No. 261. [6] *Acts of Sederunt.* [7] Brunton and Haig, 23. [8] *Hist. MSS. Rep.*, iv. App. 503. [9] *Reg. Mag. Sig.* [10] *Colquhoun Book*, ii. 311. [11] *Stirlings of Keir*, 295. [12] *Reg. Mag. Sig.*

by several children of this marriage.[1] She alienated these lands to Sir John Stirling of Keir, her nephew, who on 26 March 1517 obtained a charter of confirmation in which she is also styled *Domina de Dudhop*.[2] Between 1516 and 1518 she was engaged in a successful litigation with Mr. Abraham Crichton.[3] She was married, thirdly, to Sir John Campbell of Lundy, and was still alive in 1551.

(2) *Margaret*, married, first, in 1479, as his second wife, to Sir William Stirling of Keir,[5] from whom she received a charter of the lands of Struy and Lubnoch, confirmed 20 May 1481.[6] She obtained a liferent of the lands of Keir and manor place thereof 6 September 1503.[7] She survived Sir William Stirling, and was married, secondly, as his second wife, to John, first Lord Sempill.[8]

The family of Crichton of Ruthven continued to possess that estate until the year 1742,[9] and were among the substitutes named in the Grandtully entail of 1717.[10]

I. George Crichton, the elder son, seems early to have acquired considerable possessions. In or about the year 1425 he purchased the lands of Borthwickshiels, in the barony of Chawmerlayn-Newtoun, within the sheriffdom of Roxburgh, from Sir William of Douglas, of Strabrock, whose daughter he must have married, as in the charter he is described as *filius* by the granter.[11] On 1 October 1427, under the designation of son and heir of Stephen de Crichton de Carnis, he granted to Edward de Crichton de le Kretilhouse in feu farm his lands within the town of Lanyng (or Lany), within the barony of Cramond.[12] Prior to 4 January 1433-34, he had acquired the lands and Castle of Blackness,[13] and thereafter is frequently designed of Blackness. By 1438 he had been knighted and had become Sheriff of Linlithgow, probably on the death of his father, and obtained an annualrent out of the lands of Orchard in that county.[14] From that time onwards he took a prominent part in public affairs, and especially in the intrigues and conflicts of his cousin William Crichton, who became Chancellor in May or June 1439. (*See title*

[1] Gray Inventory in Lyon Office. [2] *Reg. Mag. Sig.* [3] *Liber Officialis S. Andree*, 119. [4] *Laing Charters*, Nos. 458, 573. [5] *Stirlings of Keir*, 26. [6] *Reg. Mag. Sig.* [7] *Ibid.* [8] *Stirlings of Keir*, 289. [9] Old *Statistical Account*, xii. 292. Cf. also *Laing Charters*, Nos. 243-1904, *passim*, per index. [10] *Grandtully Book*, clvi. [11] *Hist. MSS. Rep.*, xiv. App. iii. 11. [12] *Reg. Mag. Sig.* [13] *Hist. MSS. Rep.*, xiv. App. iii. 11. [14] *Exch. Rolls*, v. 22.

Crichton.) In 1441 he was sent on an embassy to Brittany to negotiate a marriage between Francis, Count of Montfort, eldest son of John, Duke of Brittany, and the Princess Elizabeth, eldest daughter of King James I. The Aberdeen Customs Accounts for the year 1442 contain a payment of £45 towards his expenses on that occasion.[1] In 1443, a political crisis occurred, William, eighth Earl of Douglas, was appointed Lieutenant-Governor of the realm, and the Crichtons fell into disgrace. On 4 November 1443, both Sir William Crichton the Chancellor and Sir George Crichton of Blakness were outlawed. In the quaint words of the old chronicler, 'There was ane Counsall Generale haldin at Strivling the ferd day of November in the hender end of the quhilk Counsall thai blewe out on Schir William of Crechtoun and Schir George of Crechtoun and thar advertence.'[2]

The feud between the Douglases and the Crichtons broke out into open hostilities. On the one hand the Crichtons harried the lands of Douglas and his adherent Sir John Forrester of Corstorphine in Lothian, and burned the granges of Abercorn and Strabrock and other five places, while Douglas retaliated by burning Blackness. The ex-chancellor, however, took possession of Edinburgh Castle, and held it until he received from the King satisfactory terms for himself and his adherents.[3] By 1448 Sir George Crichton was again in high favour, and had been created Admiral of Scotland.[4] On 1 April 1450, he obtained a charter of the lands of Barnton in Midlothian, and Le Wra in Linlithgow, on the resignation of Nicholas de Borthwick, with whom he had apparently excambed his lands of Lany.[5] He was also by that time Captain of Stirling Castle.[6] On 27 February 1450-51 as a mark of the King's favour he received a grant of the barony of Tybbers, in the sheriffdom of Dumfries.[7] Though he appears to be nowhere mentioned by name as connected with the murder of the Earl of Douglas in February 1452, his position as Captain of Stirling Castle renders it probable that he was concerned therein, and it is noteworthy that some time

[1] *Exch. Rolls*, v. 118. [2] *Auchinleck Chronicle.* [3] *Ibid.* [4] *Scotts of Buccleuch*, ii. 38. [5] *Reg. Mag. Sig.* [6] *Exch. Rolls*, v. 458-478. [7] *Reg. Mag. Sig.*

before, while the Earl was in Rome, a story got about to the effect that Turnbull, Bishop of Glasgow, the Chancellor Crichton, and Sir George Crichton, the Admiral, had concerted a scheme for his assassination.[1]

On 26 April 1452 he obtained a charter of Brathwel or Brawl and other lands in the earldom of Caithness which had pertained to Jonet Dunbar, wife of Sir James Crichton of Frendraught, Chamberlain of Scotland, the Chancellor's eldest son, from whom he had acquired them.[2]

His treacherous murder of the Earl of Douglas had brought such infamy on the King, that it seems to have been thought necessary to convene a Parliament to pass loyal resolutions and make preparations for averting the vengeance threatened by the dead man's friends.[3] At this Parliament, which met in Edinburgh on 12 June 1452, and lasted for fifteen days, a number of honours and grants of lands were conferred on persons whose allegiance it was considered desirable to reward or secure. In particular 'thar was maid in the forsaid parliament three erllis, viz., schir James Crechtoun, son and air to Schir William of Crechtoun, that spousit the elder sister of Murray, was beltit erll of Murray. Item the Lord Hay and Constable of Scotland was beltit erll of Eroll. Item Schir George of Crechtoun was beltit erll of Caithness.'[4] It has been strenuously maintained that belting never operated the creation of a dignity but was merely 'an inaugural ceremony which presupposed a written charter.'[5] But, be this as it may, there is no trace of any charter or other writ conferring any one of the three earldoms above mentioned. The chronicle goes on '. . . Item Schir George of Crechtoun annexit all his landis to the erldome of Caithnes that samyn time,' a statement amply borne out by the terms of a charter, dated 8 July 1452, whereby the King confirmed 'Georgeo Creichtoun comiti de Cathness regni admirallo et assignatis suis,' a long list of lands, all over Scotland, excepting in Caithness, which he had resigned, and which the King annexed to the said earldom of Caithness and regality of the same. All to be held 'in liberam

[1] Law's MS., excerpt printed in *Exch. Rolls*, v. p. lxxxv. [2] *Reg. Mag. Sig.* [3] *Acta Parl. Scot.*, ii. 73. [4] *Auchinleck Chronicle.* [5] *See* Riddell, ii. 681 *et seq.*; *Exch. Rolls*, v. p. xcvi.

regalitatem' and for a reddendo of a red rose at Brathuel (Brawl) in name of blench farm for the whole enlarged comitatus.[1]

The terms of this charter are consistent, perhaps, with there having been a separate charter of the comitatus, but not with the statement made originally by Sir Robert Douglas and accepted by Mr. Wood that the limitation was to the heirs-male of the Admiral's second marriage.

Almost immediately thereafter the new Earl must have set out with the King on his abortive expedition against the Douglases, for it is on record that on 18 July 1452, Alexander Cunningham of Kilmaurs resigned the said lands of Kilmaurs and others into the King's hands, and after a pause the King granted the same to the said Alexander and his heirs in free barony to be called Kilmaurs, in terms of a charter to be made thereupon—all these things being done at Corhede, in the tent of the Lord Chancellor of Scotland, in presence of the said Chancellor, James, Earl of Moray, George, Earl of Caithness, and others.[2]

Prior to this time, it would seem that the Admiral had married, as his second wife, Jonet Borthwick, daughter of Sir William Borthwick of that Ilk, and widow of Sir James Douglas of Dalkeith, who was alive on 28 February 1439-40, but had died prior to 7 March 1449-50.[3] It has been suggested that Crichton's relations with this lady must have been somewhat irregular, for on 12 January 1452-53, the King confirmed to George, Earl of Caithness, and Jonet, Countess of Caithness, his spouse, the lands of Barnton, in the sheriffdom of Edinburgh, which the said George and Jonet had personally resigned, to be held by them and the survivor and the heirs lawfully gotten betwixt them 'quibus deficientibus Jonete filie naturali dictorum Georgii et Jonete et hæredibus ejus'—subject to a certain faculty of redemption which was never exercised.[4] This, however, seems to be the only writ in which she is described as *filia naturalis*. Next year, on her marriage with the Master of Maxwell, Georgeus comes de Cathness, Admirallus Scotie, granted, 'dilectæ filiæ nostræ Jonetæ de Crechtoun,' a charter, dated 29 March 1454, of the barony of Tybberis, to be held

[1] *Acta Parl. Scot.*, ii. 75. [2] *Laing Charters*, No. 134. [3] *Reg. Mag. Sig.* [4] *Ibid.*

of him and his heirs and assignees by her and the heirs of her body lawfully to be gotten, whom failing to return to the heirs and assignees whomsoever of the granter. This charter, it may be noticed, besides having a seal, bears to be signed 'George, Erle of Cathness.'[1]

The obscurity which envelops the creation of the earldom of Caithness in the person of Sir George Crichton, extends also to his tenure of that dignity. Following the *Auchinleck Chronicle*, Mr. Burnett[2] says that, on receiving the charter of 8 July 1452, 'he chose as assignee the King, into whose hands his newly got earldom seems to have been resigned without even reserving his own liferent'; and also, 'He almost immediately ceases to be designed Earl of Caithness.' This latter statement is far from accurate. On 16 April 1453, he is termed by the King, 'our well beloved cousin, George, Earl of Caithness, Admiral of our Realm.'[3] In the charter of Tybberis already mentioned he, on 29 March 1454, both designs and subscribes himself Earl of Caithness, and on July 1454 he is present in Parliament under that title.[4]

That there was some transaction between him and the King is, however, undoubted, and this aroused the resentment of his son and heir—Sir James Crichton—who seized upon his father, and incarcerated him in the Castle of Blackness, which was promptly besieged by the King in person by both sea and land. The *Exchequer Rolls* for the year 1454 contain various entries of outlays occasioned by the siege which seems finally to have terminated in an arrangement satisfactory to all parties. Sir James Crichton, in addition to the family estate of Cairns, of which he is afterwards found in possession, received from the King the Crown lands of Strathurd in Perthshire, which the Queen formally discharged of her rights of dower,[5] and apparently acquiesced in his father's arrangements. The result seems to be that with the exception of Cairns, which fell to his son, Barnton and Tybbers, which were provided to his daughter, and Wra, which he had previously excambed with the King,[6] the whole of the Earl's lands,

[1] *Book of Carlaverock*, ii. 433. [2] *Exch. Rolls*, v. p. liii. [3] *Scotts of Buccleuch*, ii. 49. [4] *Acta Parl. Scot.*, xii. Supt. 23. [5] *Ibid.* [6] *Exch. Rolls*, vi. 321.

as well as the dignity of Earl of Caithness, reverted to the King.

According to the *Auchinleck Chronicle*, there died in the month of August 1454, Gilbert [*sic*] Hay, erll of Erroll, Schir George of Crechtoun, and Schir James, Lord of Crechtoun—the three who were belted Earls in June 1452, and the first of whom alone appears to have retained the dignity then conferred—and so far as it concerns the two Crichtons the statement is probably correct.

A curious light is thrown upon the Admiral's treatment of his wife by a charter, dated 7 November 1459, which narrates that within eight days after his death, 'Joneta, Comitissa de Cathness et domina Dalkeithe,' formally revoked a resignation of the barony of Morton, which she had made, in respect that she 'compulsa et coacta fuit per quondam Georgeum comitem de Cathness suum maritum ad dictam resignationem faciendam.'[1]

The Earl of Caithness married, first, prior to 1425,[2] a daughter of Sir William Douglas of Strabrock, by whom he had a son:—

JAMES, who succeeded to Cairns. In his father's lifetime he received a grant of the Crown lands of Strathurde or Strathord, erected into the barony of Ragortoun, or Redgorton, apparently in settlement of his claims on the estates which the Earl of Caithness was desirous of making over to the King.[3]

As son and heir of the deceased Sir George Crichton, Knight, proceedings were taken against him for payment of arrears due by his father to the Crown.[4] He apparently took part in public affairs, and under the designation of Sir James Crichton of Carnis, sat in several Parliaments of James III. His descendants retained Strathord until the early part of the seventeenth century, when it passed to the family of Nairne.

The Earl married, secondly, Janet Borthwick, daughter of Sir William Borthwick of that Ilk, and widow of Sir James Douglas of Dalkeith. By her he had a daughter:—

Janet, who was married, in 1454, to John Maxwell, eldest

[1] *Reg. de Morton*, ii. 333. [2] *Hist. MSS. Rep.*, xiv. App. iii. 11. [3] *Auchinleck Chronicle.* [4] *Exch. Rolls*, vi. 92, 100.

son of Robert, second Lord Maxwell (*see that title*), with issue eight sons and two daughters. She resigned the lands of Barnton in favour of her son George Maxwell, who, on 14 March 1460, had a charter of confirmation thereof wherein his mother is styled 'filia quondam Georgei Comitis de Cathnes.'[1]

ARMS.—The seal of George Crichton of Cairns, Earl of Caithness, in 1450 or shortly after, bears, quarterly: a galley, for *Caithness*, and a lion rampant, for *Crichton*.[2]

[J. R. N. M.]

[1] *Reg. Mag. Sig.* [2] Riddell MS. in Advocates' Library. Mr. Riddell states that this seal is in the Lee Charter-chest, and adds, 'There is a crest—a hand, I think, holding a rod, or something like it.'

SINCLAIR, EARL OF CAITHNESS

WILLIAM SINCLAIR, Earl of Orkney (*see that title*), Lord High Chancellor of Scotland, obtained from King James II. a grant of the earldom of Caithness, to himself and his heirs, 28 August 1455, in compensation, as the charter bears, of a claim of right which he and his heirs had to the lordship of Nithsdale, and he was afterwards designed Earl of Orkney and Caithness.

In this Earl's time, and in that of his father and grandfather, there had been serious differences between the Kings of Norway and Denmark and their vassals with regard to the former's suzerainty and other rights in the islands of Orkney and Shetland, and such strained relations between superior and vassal may have made it more easy for the King of Denmark to cede these islands to Scotland on the marriage of his daughter Margaret to King James III. in 1469. In the following year the Scottish King having set his heart on obtaining entire possession of the islands, 'awakened and set on Foot a dormant Claim against [Earl] William, for the Profits of the Orknays during his Non-age; and under Pretence of that sent him to Prison till he should renunce his Title, which the King accordingly extorted from him, and that too, at his own Rate, which William

Caithness

was forced to accept, or lose all. An Annuity of forty Marks for the Term of Life, the Castle of Ravenscraig, and certain other Lands in the County of Fife, of very inconsiderable Income, were all the Equivalent.'[1]

It is worth noting that the King by his own hand gave sasine of the castle and lands to the Earl. The original instrument under the hand of John Tailliefere bears that on the 16 September 1470, in the royal chamber in Edinburgh Castle, King James III. gave sasine to William, Earl of Caithness, and his heirs, of the King's castle of Ravenscraig, and other lands adjacent, in the sheriffdom of Fife, by delivery out of his own royal hand of a staff into the hand of the Earl, in presence of the Bishops of Aberdeen, Ross, and Orkney, the Earl of Crauford, and other great nobles and ministers of state.[2]

This Earl founded the Collegiate Church of Rosslyn in Midlothian for a provost, six prebends, and two singing boys in the year 1446.

On 7 December 1476 he resigned his lands of the earldom of Caithness, and offices pertaining thereto, in favour of William Sinclair, his son of the marriage between him and his second Countess Marjory, but under reservation of his liferent; and King James III., the same day, granted charter in favour of said William, the son, of said lands and offices.[3] Earl William died sometime between the date of the charter and 29 March 1482 (*see below*). He was three times married; first, to Elizabeth Douglas, daughter of Archibald, fourth Earl of Douglas, by Lady Margaret Stewart, daughter of King Robert III. She was already the widow of John, Earl of Buchan, Constable of France, and of Sir Thomas Stewart, son of Alexander, Earl of Mar. By her, who died about 1451, he had—

1. *William*, called 'The Waster.'[4] He was set aside by his father from the succession, and on 29 March 1482 a brieve was issued from the Chancery of King James III. addressed to the Sheriff of Edinburgh, commanding him to summon a jury to take trial of the sanity of William Sinclair, son and heir of the deceased

[1] Ms. History of the Orkneys under the family of Sinclair. [2] Original Instrument of Sasine *penes* the Earl of Rosslyn. [3] *Reg. Mag. Sig.* [4] Ms. Family History.

William, Earl of Caithness, Lord St. Clair. Accordingly on 17 April following, a jury of fifteen 'nobles' found the above William Sinclair to be ***incompos mentis et fatuus***, and that he was a waster of his lands and goods; and that he had been in that condition for the space of sixteen years immediately preceding.[1] He married Cristina Leslie, daughter of George, Earl of Rothes, the dispensation for which marriage is dated 29 April 1458.[2] By her he had Henry, Lord Sinclair. (*See that title.*)

2. *Catherine*, married to Alexander, Duke of Albany, second son of James II.; but the marriage was dissolved by the Official of Lothian on 2 March 1477-78, on the ground of relationship within the forbidden degrees.[3]

William, Earl of Caithness, married, secondly, before 15 November 1456, Marjory Sutherland, daughter of Alexander Sutherland of Dunbeath, sometimes, but wrongly, called Master of Sutherland. By her he had many children:—

3. *Sir Oliver Sinclair*, who got from his father many lands, and was ancestor of the Sinclairs of Rosslyn.
4. WILLIAM, second Earl of Caithness, of whom below.
5. *Mr. Alexander*, who seems to have been vicar of Legane and a notary, and as such occurs as a witness, 4 February 1508-9.[4]
6. *George*.
7. *Robert*, who, designed 'brother of Sir Oliver Sinclair of Roslyn, Knight,' had, on 27 February 1506-7, a grant from the Crown of a tenement in Edinburgh, and several annualrents from lands in that town.[5]
8. *Arthur*.
9. *Eleanor*, married to John Stewart, Earl of Atholl.
10. *Elizabeth*, married to the Laird of Houston.
11. *Margaret*, married to David Boswell of Balmuto.
12. *Katherine*.
13. *Susan*.
14. *Marjory*.
15. *Mariot*.

[1] Original Retour *penes* Earl of Rosslyn. [2] Original dispensation *penes* Earl of Rosslyn. [3] *Exch. Rolls.*, ix. p. lvii. [4] *Reg. Mag. Sig.*, 12 Aug. 1511. [5] *Ibid.*

These six sons and seven daughters are all instructed by charter mentioned below. The Earl is said to have had another son:—

John (but whether legitimate or illegitimate is unknown), who on the authority of Keith's *Scottish Bishops* was Bishop of Caithness, but never consecrated. His name, however, seems to be unknown in record history.

The Earl had certainly another son, an important person in his day,

Sir David, who is called by various writers third lawful son, but who was undoubtedly illegitimate. As David Sinclare only his name occurs in the Comptroller's accounts for Orkney and Shetland in 1486.[1] He was evidently a man of affairs, and in the service of the Crown. Early in 1497 he was in Norway, and on 3 May of that year there was a payment to a messenger going there 'with the Kingis lettrez to Schir Dauid Sinclar.'[2] By charter, dated at Edinburgh 3 December 1498, the above six lawful sons and seven lawful daughters of Earl William granted 'to their dearest brother, Sir David Sinclair, Knight and fowd of Zetland, for the fraternal love they bore to him, and for good deeds done by him to them, the lands of Sweinbrough, in the lordship of Zetland, and all and sundry their other lands lying in the lordship of Zetland, belonging to them by reason of the death of their father.'[3] On 3 September 1502, King James IV., by letter under his Great Seal, granted to David Sinclare, Knight, a life pension of fifty merks 'for service to be rendered.'[4] As already mentioned, Sir David was in the service of the Crown, and sometime between August 1501 and August 1502 he had gone in a naval expedition to Denmark, sent by King James IV. to assist the Danes against the insurgent Norse. On this occasion there was a payment to him of 200 merks out of the accounts of Orkney.[5] Sir David

[1] *Exch. Rolls*, ix. 385. [2] *Accounts of the Lord High Treasurer*, i. 332. [3] Attested copy of original charter *penes* Earl of Rosslyn. [4] *Reg. Mag. Sig.* [5] *Exch. Rolls*, xii. p. xxxvii.

was chamberlain of Ross and of Ardmanach, and keeper of Dingwall Castle, and of Reidcastell.[1] He was also captain-general of the Castle of Bergen in Norway.[2] By his will, executed at Tyngwell, 'the aucht daye of the Vesitatione of our Ladye' (9 July) 1506, he made many bequests, among others, to Lord and Lady Sinclar, and their son and heir. His possessions in land must have been enormous, as besides those left to Lord Sinclair, he left to each of his own sons 'fywe scoir merkes land, and to ilk dochter fyfte,' and to many others many merk lands,[3] but he does not name his children. Sir David must have died before the audit in Exchequer of 14 August 1507.[4] And from that date till the audit of 21 July 1526, certain arrears of his as chamberlain of Ross appear annually in the Comptroller's accounts, after which latter date they disappear. Sir David Sinclair's elaborate will was in vain; for on 6 February 1523-24 there was a grant under the Privy Seal by King James v. to his 'louit cousigne Margaret Hepburn lady Synclar . . . of all ye landis and gudis movable and vnmouable dettis and vyr geir quhatsumeuir quhilkis pertenit to vmquhile Schir Dauid Synclare and now pertenyng to ws as his eschete be ressoun of bastardy becaus ye said vmquhile Schir Dauid wes borne bastard and deit wytout lauchfull ayris of his body gottyn.'[5]

William, Earl of Caithness, married, thirdly, a lady who bore the Christian name of Jonet, and who survived him. On 5 July 1483 there was an action by William, Lord Sinclair, 'aganis Jonet the spous of vmquhile William erle of cathnes,' regarding her terce of certain lands.[6] From more than one deed among Lord Rosslyn's muniments this Countess's name is found to be Jonet Yeman, and is suggestive of a Dundee origin.

[1] *Exch. Rolls*, xii. *passim*. [2] Grant's *Zetland County Families*, 12. [3] *Miscel.* of Bannatyne Club, iii. 103. [4] *Exch. Rolls*, xii. 513, where he is referred to as dead. [5] Notarial copy made at Ravenscraig 10 January 1524-25, by Andrew Quhite, N.P., *penes* the Earl of Rosslyn. [6] *Acta Auditorum*, 114*. Concerning this lady there is a memorandum by 'W. Santclair of Roislin Knecht,' in appendix to *Extracta e Variis Cronicis Scocie*: '1483, Joneta comitissa Cathaniensis set hir lands of Dysert, Rawinnscraig, Carbarrie, Vilstwn et Dwbbo, to Jhon of Weimis sone to Andro Veimes. Scho ves the spowse of William erll of Orknay that last ves.'

II. WILLIAM, second Earl of Caithness, in consequence of his father's resignation, obtained from King James III. to 'William Sinclare, son of William, Earl of Caithness and Lord St. Clair, begotten betwixt him and Marjory, Countess of Caithness, his spouse,' a charter of the whole lands of the earldom of Caithness, etc., to be held by him and his heirs whomsoever, dated 7 December 1476.[1] There are indications that this Earl was out of favour with King James IV., which may have been occasioned by the great disorders that took place in Caithness in the latter years of the Earl's life. But he manifested his loyalty by accompanying the King on his expedition into England, and shared his fate on the field of Flodden, 9 September 1513.

He married Mary, daughter of Sir William Keith of Inverugy, by whom he had two sons:—

1. JOHN, third Earl of Caithness.
2. *Alexander Sinclair*, who in a Crown charter of 18 July 1527 is called 'brother' of John, Earl of Caithness.[2] On 2 November 1529, he, designed of Stamster, had a Crown charter to himself and Elizabeth Innes, his spouse, of the lands of Dunbeith, Raa, and Sandside, in the sheriffdom of Inverness, on the resignation of Alexander Innes, son and heir of Alexander Innes of that Ilk, incorporating the lands in the free barony of Dunbeath.[3] Another Crown charter was granted to him and his spouse of the same lands 11 January 1529-30.[4] He married Elizabeth Innes, and was ancestor of the Sinclairs of Dunbeath.

The Earl had also a natural son, *William*, who was legitimated under the Great Seal on 5 April 1543.[5]

III. JOHN, third Earl of Caithness, had sasine of the earldom on 24 November 1513.[6] On 14 July 1527 he had a charter from the Crown to him and Elizabeth Sutherland, his spouse, of the lands of Keis, Stane, and Rowdale, in the earldom of Caithness and sheriffdom of Inverness, which charter also granted to William Sinclare, the Earl's son and apparent heir, the earldom of Caithness, under reservation of the father's liferent, and his said spouse's

[1] *Reg. Mag. Sig.* [2] *Ibid.* [3] *Ibid.* [4] *Ibid.* [5] *Reg. Mag. Sig.* at date, [6] *Exch. Rolls*, xiv. 529.

reasonable terce. On 18 July same year the Earl had a charter of the lands of Greneland and Wester Clith in Caithness, which had belonged to William Scarlate, and which after his death were in the hands of the Crown for forty-eight years, and had been apprised for debt.[1] On 15 February 1528-29 a 'bond of manhood' was entered into between William, Lord Sinclair 'and his weyle belowit eyme Jhon Erle of Cathynes.'[2] In 1528-29 there was an insurrection of certain islesmen under the leadership of James Sinclair and Edward Sinclair, brothers, against William, Lord Sinclair, who in previous years had 'wasted' Orkney and Shetland. Great cruelties were practised on both sides; and the Earl of Caithness having, in terms of the above bond, come to the assistance of his kinsman, was, with many of his followers, slain at Somersdale 18 May 1529.[3] He married Elizabeth, daughter of William Sutherland of Duffus, and by her had two sons:—

1. *William*, who predeceased his father, and
2. GEORGE, his successor.
3. *Janet*, married to Alexander Ross of Balnagown.[4]

The third Earl had a natural son, *David*. He is described in 1556 as brother to George, Earl of Caithness, and bailie to the Bishop.[5] He is also referred to at the same time as David Sinclair of Dun,[6] and was the ancestor of the Sinclairs of Dun by his wife, Margaret Calder, heiress of Dun. He had besides *John*, heir of Dun, other sons, *William* (of Forss), *Alexander*, *Henry*,[7] *John*, Archdeacon of Caithness, *George*, and *David*.[8]

IV. GEORGE, fourth Earl of Caithness, sat first as a Peer in Parliament in 1542. He resigned his earldom into the hands of Queen Mary, who, on 2 October 1545, granted a charter thereof to John Sinclair, his son and apparent heir, under the usual reservation of liferent and terce. On 18 December 1556 he had a remission under the Great Seal for sundry oppressions of the lieges,[9] and had two charters of

[1] *Reg. Mag. Sig.* [2] Original bond *penes* Earl of Rosslyn. [3] *Exch. Rolls*, xv. p. lxviii, and 'Ane complant of Wellam lord synclar to the kenges M.' *penes* Earl of Rosslyn. [4] *Scot. Antiquary*, iv. 10. [5] *Pitcairn's Trials*, i. 395.* [6] *Reg. Mag. Sig.*, 18 Dec. 1556. It is right to add that David Sinclair of Dun has been asserted to be a son of Sinclair of Warsetter, but the evidence is not satisfactory or complete. [7] Henderson's *Caithness Family History*, 110-129. [8] *Acts and Decreets*, xxiii. 170; xxvi. 173-175; xxviii. 11; *Reg. Mag. Sig.*, 8 July 1574. [9] *Ibid.*, at date.

the office of Justiciar from Portinculter to the Pentland Firth which his predecessors had held.[1] He appears as a member of the Privy Council, 22 December 1561, and frequently thereafter.[2] From the records of Council it appears that for many years prior to 1553 there had been 'greit and hie enormiteis, slauchteris, reiffis, spulyeis, and oppressionis committit . . . betuix the Erle of Cathnes and M'Ky, and thair kin, freyndis, allia, and partakaris'; and for 'stanching' them the Council, on 18 September 1553, ordered the Earl to meet with the Earl of Huntly, her Majesty's Lieutenant-General in the North, and the Bishop of Ross, within the town of Inverness, under pain of rebellion.[3] On 14 May 1566 his commission of Justiciary was extended, power being given to him to appoint deputies.[4] On 19 April 1567 he had in Parliament a ratification of his office of Justiciar. He was foreman of the jury on the trial of James, Earl of Bothwell, for the murder of Darnley, 12 April 1567; and when they returned their verdict of acquittal, he protested in their name that no crime should be imputed to them on that account, because no accuser had appeared, and no proof was brought of the indictment. He took notice, likewise, that the 9 instead of the 10 of February was specified in the indictment, as the day on which the murder was committed. In 1569 there was a feud between the Earl of Caithness and Laurence, Lord Oliphant, which occupied a good deal the attention of the Privy Council.[5] By deed, dated 1 April, and 1, 20, and 31 May 1575, and confirmed by the Crown 1 June 1578, there was a grant of a yearly pension of £90, 19s. 4¾d. made by Robert, Bishop of Caithness, with consent of the Dean and Chapter, to George, Earl of Caithness, for life, and after his decease, to George Sinclair, his son, and to an heir of the son. The pension was in return for the great help given by the Earl to the bishop in maintaining him in his bishopric and reaping the fruits thereof.[6] The Earl died at Edinburgh, 9 September 1582, and was buried in Rosslyn Chapel. On the monument which was erected over his grave is this inscription: 'Hic jacet nobilis ac potens Dominus Georgius quondam comes Cathanensis Dominus

[1] *Reg. Mag. Sig.*, 17 April 1566 and 14 February 1566-67. [2] *P. C. Reg.*, i. *passim.* [3] *Ibid.*, i. 147. [4] *Ibid.*, 459. [5] *Ibid.*, ii. *passim.* [6] *Reg. Mag. Sig.*

Sinclar, justiciarius hereditarius diocesis Cathanensis qui obiit Edinburgi 9 die mensis Septembris, anno Domini 1582.' His testament confirmed 2 April 1583.

He married Elizabeth Graham, second daughter of William, second Earl of Montrose (her testament recorded Edinburgh Commissariot, 4 April 1576), and had issue:—

1. *John*, Master of Caithness, who had a charter of the earldom of Caithness to himself and his heirs-male and assignees, whom failing, to his father and his heirs whomsoever, 2 October 1545, as already mentioned. He was imprisoned in Girnigo Castle by his own father about 1570-71, and 'wes keiped in miserable captivitie for the space of seaven yeirs, and died at last in prison by famine and vermine' about 1577-78,[1] having married, about 1566, Jean Hepburn, only daughter of Patrick, third Earl of Bothwell, widow of John Stewart, Prior of Coldingham, who died 1563, and mother of Francis (Stewart), Earl of Bothwell (testament, Edinburgh, 27 July 1599), and had issue by her:—

   (1) GEORGE, fifth Earl of Caithness.

   (2) *James Sinclair* of Murchil, styled Master of Caithness,[2] who had a charter of the lands of Halcro and others, 20 April 1593,[3] wherein he is designed brother-german of George, Earl of Caithness, who, on 19 April 1613, made a disposition to him of the quarter-lands of Murchil. He married Elizabeth Stewart, third daughter of Robert, Earl of Orkney, natural son of King James v., by whom he had two sons and a daughter:—

      i. *Sir James*, his successor, of whom below.

      ii. *Francis*, who served in the German wars. Returning to Scotland in 1621, he married Janet, daughter of Alexander Sutherland of Forss (contract of marriage 19 July 1621), by whom he had a son:—

         (i) *James*, who is said to have left no issue.

      iii. *Agnes*, who was married to John M'Kay of Dirlot and Strathy.

   Sir James Sinclair of Murchil was twice married, first to Margaret Dundas (who is mentioned in a deed in January 1633), but apparently without issue; and secondly to Jean, eldest daughter of William Stewart of Burray, brother of Alexander, first Earl of Galloway. Her testament is recorded in the Caithness Commis-

[1] Sir Robert Gordon's *History of Sutherland*, 157, 163, 164. [2] *Reg. Mag. Sig.*, 19 May 1585. [3] *Ibid.*

sariot, 22 October 1662. By her he had, besides five daughters, two sons:—

(i) JOHN, subsequently eighth Earl of Caithness, of whom afterward.

(ii) *David* of Broynach, who died sometime between 1713 and 1716. He married, first, a daughter of William Sinclair of Dun, by whom he had, with one daughter, Elizabeth, a son:—

a. *James*, who died about 1754, without issue.

David of Broynach, married, secondly, in June 1700, Janet Ewing,[1] by whom he had:—

b. —— a son, born before the marriage of his parents, who died in infancy, proof of which has only recently emerged.

c. *David*, born in February 1701, but not baptized, owing to ecclesiastical censures, until 1705. After a chequered life, he died about 1760. He married, 21 October 1744,[2] Margaret More or M'Kay, and they had issue, one son:—

(*a*) *James*, who on the death of Alexander, ninth Earl of Caithness, claimed the title, but unsuccessfully, as the proof of his grandparents' marriage was not forthcoming, and the title was adjudged by the House of Lords to William Sinclair of Ratter. (*See* tenth Earl of Caithness *infra.*) James Sinclair became a captain in the H.E.I.C.S. He returned to Scotland in June 1786, and obtaining proofs of his father's legitimacy, raised another claim to the earldom against John, eleventh Earl of Caithness, son of the former opponent. But ere the case in the Court of Session was decided Captain James died, on 11 January 1788, without issue.[3]

d. A third son *Donald* is also ascribed to the marriage of David Sinclair of Broy-

[1] The Presbytery Records of Caithness showed that in June 1700 an irregular marriage (by an Episcopalian clergyman) had made David and Janet man and wife, while the Session Records of Olrig established the birth of *David*. [2] Thurso Parish Register. [3] See *Scottish Peerages*, by John Riddell, 1842, 608-621; *Caithness Events*, by Thomas Sinclair, 1894, 72-113; and article in *The Genealogist*, vol. xv., 1899, p. 67, 'On the Earldom of Caithness,' by Joseph Bain, F.S.A. Scot.

nach and Janet Ewing, and stated to be identical with a Captain Donald Sinclair, Sarclet, Caithness, who at his death in 1768, left issue.[1] But no claim to the title was made in 1793, when the House of Lords decided in favour of Sir James Sinclair of Mey as twelfth Earl, nor has any been formally made by his descendants.

(3) *Sir John Sinclair* of Greenland, of whom afterwards.
(4) *Marie*, named on 20 February 1582.[2]

2. *William* of Mey, who died *v. p.* without lawful issue, but leaving by Margaret Mowat, daughter of James Mowat of Balquholly, two natural sons, *Patrick* and *John*, who were legitimated in 1607.[3]
3. *George* of Mey, of whom afterwards.
4. *David.*[4]
5. *Barbara*, or *Beatrix*, married when thirty-two to Alexander, eleventh Earl of Sutherland, then a youth of fifteen.[5] He divorced her when he came of age.
6. *Elizabeth*, married, first, to Alexander Sutherland of Duffus,[6] secondly, to Hugh Mackay of Farr.
7. *Margaret*, married (contract, 13 October 1579) to William Sutherland of Duffus. She died before 1604.
8. *Barbara*, said to have been married to Alexander Innes of Innes.[7]
9. *Agnes*, married, about 1574, as his second wife, to Andrew, Earl of Erroll, who died 1585. She was living 15 June 1598.

The fourth earl had a natural son, *Henry*, probably ancestor of Sinclair, wadsetter of Lybster.[8]

V. GEORGE, fifth Earl of Caithness, the eldest son, succeeded his grandfather in 1582, being then a minor, and under the wardship of the Earl of Gowrie.[9] On 19 May 1585, he and twenty-two others had a remission under the Great Seal for the slaughter of David Hume of Crenschawis and two brothers of the name of Sinclair.[10] He had

[1] *Caithness Events, ut cit.*; also *The Saint Clairs of the Isles*, by R. W. Saint Clair, 1898, 223-227. [2] *Reg. of Deeds*, xx[2] f. 392. [3] *The Gordons of Gight*, New Spalding Club, 67. [4] *Reg. Mag. Sig.*, 19 May 1585. [5] Sir Robert Gordon's *Genealogy*, 149-151. [6] *The Sutherland Book*, i. 514. [7] She had a charter from him, 17 May 1574, of the lands of Kinnairdie and others (*Reg. Mag. Sig.*, 8 July 1574). [8] Burnett's MS. Notes. [9] *Estimate of the Scottish Nobility*, Grampian Club, 30. [10] *Reg. Mag. Sig.*

charters from the Crown on 17 December 1591,[1] 18 June 1606, 3 November 1612, and 9 June 1615.[2] On 3 April 1592, he, with consent of Jean Gordon, Countess of Caithness, his spouse, resigned the earldom into the hands of King James VI., upon which a charter thereof, with a novodamus, was granted to William Sinclair, his eldest son and heir, and his heirs-male and assignees whomsoever, under reservation of his own liferent and his spouse's terce.[3] He died in February 1642-43, in the seventy-eighth year of his age, and was succeeded by his great-grandson.

He married, shortly after 29 July 1585, Jean Gordon, only daughter of George, fifth Earl of Huntly, and by her, who was living 10 December 1606, had issue:—

1. WILLIAM, Lord Berriedale.
2. *Francis*, of Keiss and Northfield, who married Elizabeth, daughter of Andrew, Lord Fraser, and had issue:—
   (1) GEORGE, who became seventh Earl of Caithness.
   (2) *Jane*, married to Sir James Sinclair of Mey, Baronet.
3. *John*, a lieutenant-colonel in the Swedish service, sometime in command of Munro's regiment. He was killed at Newmarke in the Palatinate in 1632; and his epitaph by Narsius is prefixed to Munro's *Expedition*. He is mentioned by Grant in his *Memoirs of Sir John Hepburn*.[4]
4. *Elizabeth*, married, in 1621, to George, fourteenth Earl of Crawford.

The fifth Earl had two natural sons, *Francis*, ancestor of the Sinclairs of Sterkoke, and *John*.[5]

WILLIAM, Lord Berriedale, had a charter of the earldom of Caithness, 3 April 1592, as above mentioned. He was imprisoned five years for debt. He was living in July 1633, but died before his father. By Mary, his wife, daughter of Henry, third Lord Sinclair, he had a son:—

JOHN, Master of Berriedale, who, upon his father's resignation, obtained a charter under the Great Seal of the lands of the earldom of Caithness, to himself and the heirs-male of his body, whom failing, to his father and his heirs-male and assignees whomsoever, dated 27 July 1633.

[1] *Reg. Mag. Sig.* [2] *Ibid.* [3] *Ibid.* [4] Pp. 1, 14, 255. [5] Ms. note by George Burnett, Lyon.

He died of a fever at Edinburgh in September 1639, and was buried in the Abbey Church of Holyrood. He married, between May 1633 and October 1634, Jean Mackenzie, younger daughter and co-heir of Colin, first Earl of Seaforth, afterwards wife of Alexander, first Lord Duffus (*see that title*), and by her had a son:—

VI. GEORGE, sixth Earl of Caithness, who succeeded his great-grandfather, and who, on 21 March 1644, was served heir to John, Master of Berriedale, his father, in the earldom of Caithness. As he is designed Earl of Caithness in the retour, it is thereby proved that his grandfather and great-grandfather were then dead. He was present with the Marquess of Argyll and other Peers, 15 July 1657, when 'O. Cromuell was proclaimed Chiefe Magistrate of thir thrie nations, ouer the Crose of Edb.'[1] On 22 September 1657, 'The Earle of Caithnes maried a daughter of the Marquese of Argyells, viz. Mary Cambell, his second daughter; the mariage feast stood at Roseneeth, the dwelling house of Argylle (Diuers of Caithnes frinds were not weill pleased with this his mariage.) Hir toucher was only twenty-two thousand pounds Scots.'[2] On 10 June 1661, he had a charter of the earldom of Caithness to himself and his heirs-male and assignees. On 24 July 1668, 'the Er. of Caitnes by order of cownsell, was committed prisoner to the castell of Edb. The Lord Lyon and his Lo. went of together to the howse. This was done be reason of a slawghter of one of the Chancelowrs trowpe; a pairty being sent north to qwarter for deficiencie of excyse and sesse that summer, wherto his Lo. was supposed to have accession.'[3] The Earl and a great many Caithness and Sutherland lairds and others had, on 5 November 1668, a remission under the Great Seal for the crimes of making war on his Majesty's lieges, manslaughter, robbery, fire-raising, and general oppression.'[4] Having no issue, and being deeply in debt, the Earl made, on 8 October 1672, a disposition of his property, titles, and heritable jurisdictions in favour of Sir John Campbell of Glenurchy (*see title* Breadalbane), who was his principal creditor. He died at

[1] Lamont's *Diary*, second edition, 99. [2] *Ibid.*, 101. [3] *Ibid.*, 207.
[4] Original Remission *penes* Rev. A. T. Grant.

Thurso East, in May 1676, without issue. His Countess survived him, and was married, on 7 April 1678, as his second wife, to Sir John Campbell of Glenurquhy, Earl of Caithness. The next Earl of the same line was

VII. GEORGE, seventh Earl of Caithness, only son of Francis Sinclair of Keiss, second son of George, fifth Earl of Caithness, by Elizabeth, daughter of Andrew, Lord Fraser. His succession, however, was not undisputed. Sir John Campbell of Glenurquhy, in consequence of the disposition of 1672, subsequently confirmed by the Crown, obtained from King Charles II. a charter and patent, dated 28 June 1677, creating him Earl of Caithness, Viscount of Breadalbane, Lord of St. Clair, Berriedale, and Glenurchy, with a clause obliging him to take the name of Sinclair, and bear the arms of Caithness. George Sinclair of Keiss, however, as heir-male of the family, with an armed force seized, in 1677, certain lands which were included in the above disposition. Breadalbane appealed to the Privy Council, and after various ineffectual attempts to remove George Sinclair, received the aid of a detachment of the Royal forces. With these and his own followers, he invaded Caithness, and a pitched battle took place at Old Marlack, where the Earl was victorious. The Laird of Keiss was more successful at law, for it was found that he had a right to the dignity of Earl of Caithness, and he took his place as such in Parliament, 15 July 1681. Sir John Campbell was thus obliged to relinquish that Peerage, and was created Earl of Breadalbane. (*See that title.*) Earl George died unmarried at Keiss in 1698, when the title devolved on

VIII. JOHN SINCLAIR of Murchil, eighth Earl of Caithness, grandson of James Sinclair of Murchil, younger brother of George, fifth Earl of Caithness (*see* pp. 340, 341 *supra*). He took the oaths and his seat in Parliament 25 July 1704, and died in 1705, leaving by his wife Janet Carmichael, of the Hyndford family, four sons and a daughter:—

1. ALEXANDER, ninth Earl of Caithness.
2. *John Sinclair* of Murchil or (as it came to be spelled) Murkle, who became a member of the Faculty of Advocates on 7 February 1713; was appointed one of

the Solicitor-Generals for Scotland on 18 January 1721; was elevated to the bench, and took his seat by the title of Lord Murkle, 3 November 1733. He died at Edinburgh 5 June 1755.[1] He married Anne Mackenzie, daughter of George, first Earl of Cromarty, who predeceased him 21 October 1740. They had no issue.

3. *Francis* of Forss, married Janet Morrison, and died without issue, 2 March 1762.
4. *Archibald*, died without issue.
5. *Janet*, married, in 1714, to David Sinclair of Southdun, in the county of Caithness, who died in 1760. She died in 1720, having had issue, with a son and a daughter who died in infancy, two daughters:—

   (1) *Jane*, married, in 1746, to Sir William Dunbar, Baronet, and died 1749, without surviving issue.
   (2) *Janet*, married, in 1753, to Sir Stuart Thriepland of Fingask, Baronet, M.D., she died in 1755, leaving issue.

IX. Alexander, ninth Earl of Caithness, succeeded his father in 1705, took the oaths and his seat in Parliament 17 December 1706, while the Treaty of Union was before the House, and voted against all the articles of that Treaty, discussed subsequent to that date. His lordship possessed the title of Caithness sixty years, outliving every peer who had sat in the Scottish Parliament, and died at Hemer in Caithness, 9 December 1765, in the eighty-first year of his age. He married, at Durham, 15 February 1738, Margaret, second daughter of Archibald Primrose, first Earl of Rosebery, by Dorothea, daughter and heir of Everingham Cressy, Esquire of Birkin, co. York, and by her, who died at Hermitage, near Leith, 7 October 1785, had one child:—

Dorothea, born 4 April 1739, married, at Edinburgh, 5 June 1759, to James, second Earl Fife, without issue.

Alexander, ninth Earl of Caithness, devised his own estate, and also Murkle, to which he had succeeded on his brother's death, to himself and the heirs-male of his body; whom failing, to his brother Francis and the heirs-male of his body; whom failing, to the second and younger sons successively of his daughter Dorothea; whom failing, to

[1] Brunton and Haig.

George Sinclair of Woodhall, one of the Lords of Session, and the heirs-male of his body; whom failing, to the said Lord Woodhall, and his nearest lawful heir-male of line whomsoever; whom failing, to his own nearest heirs and assignees whomsoever. A competition arose for his landed property, betwixt the Countess Fife and Sir John Sinclair of Stevenson, nearest heir-male of line of Lord Woodhall. The Court of Session preferred Sir John Sinclair, 24 June 1766, and their judgment was, on appeal, affirmed by the House of Lords, 6 April 1767.

The earldom of Caithness devolved on William Sinclair of Ratter, descended from

Sir John Sinclair of Greenland, third son of John, Master of Caithness (see *ante*, p. 342). He had from George, fifth Earl of Caithness, his brother, a charter of the lands of Barrock, 3 September 1591, and of Ratter, etc., 7 April 1613, to himself in liferent, and William, Alexander, John, James, and Francis, his sons, successively in fee. His testament is recorded in the Caithness Commissariot (Deeds) 21 December 1622. He married Janet Sutherland, and had issue six sons and one daughter:—

1. *William Sinclair* of Ratter, who predeceased his father, being drowned in the Water of Risgill *circa* 1618.[1] He died without issue, as is proved by precept of *clare constat* from George, fifth Earl of Caithness, in favour of his brother Alexander, as heir to him in the estate of Ratter, 10 and 12 August 1618.
2. *Alexander Sinclair* of Ratter, who also died without issue, as is proved by a precept of *clare constat* from the same Earl in favour of his brother John, as heir to him in the estate of Ratter, 6 January 1623.
3. *John Sinclair* of Ratter, who also died without issue, as is proved by precept of *clare constat* from John, Master of Berriedale, in favour of his brother James, as heir to him in the lands of Ratter, 19 December 1634.
4. James Sinclair of Ratter, who carried on this family.
5. *Francis*, of whom there is no male succession.
6. *Thomas* is mentioned about 1630. He must have been

[1] Henderson, 45.

born after 1613, as he is not given in the charter of that year.

7. *Elizabeth Sinclair*, Sir John's only daughter, married to John Cunningham of Geise and Brownhill.[1]

JAMES SINCLAIR, the fourth son, was designed of Reaster, and succeeded to the estate of Ratter in 1634. He married Janet, daughter of William Bruce of Stanstill,[2] and had two sons and three daughters:—

1. WILLIAM, his successor.
2. *John*, who died without issue.
3. *Janet*, who married Walter Bruce of Ham.
4. *Margaret*, married, in 1655, to John Smith, son of William Smith, minister of Dunnet from 1614 to 1652.
5. *Elizabeth* or *Elspeth*, married, about 1652, to her cousin, William Bruce of Stanstill.[3]

WILLIAM SINCLAIR, third of Ratter, acquired the lands of Freswick in 1661 from Mowat of Buquhollie.[4] He died after 4 May 1663, the date of his will. He married, first, contract dated 18 and 24 March 1642, Elizabeth, only daughter of John Sinclair of Ulbster, by whom he had one son:—

1. JOHN.

He married, secondly, Jean, daughter of John Cunningham of Geise and Brownhill, and relict of Alexander Sinclair of Latheron, and by her had three sons and two daughters:—

2. *James* of Freswick, said to have died in France, having been taken prisoner when on his way to Edinburgh to be married.[5]
3. *Robert*, who must have died before 1696, without issue.
4. *David*, who, on 11 November 1696, was served heir-male and of tailzie to James Sinclair of Freswick, his brother-german, in his lands.[6]
5. *Janet*, married to John Sinclair, fourth of Ulbster.
6. *Anne*, married, first, to Robert Sinclair of Durran, and secondly, to John Campbell of Castlehill, Commissary and Sheriff-clerk of Caithness.[7]

[1] Henderson, 45. [2] *Ibid.*, 47. [3] *Ibid.*, 46. [4] *Ibid.*, 47. [5] Caithness Retours, 36. [6] *Ibid.*, 48. [7] *Ibid.*

John Sinclair, fourth of Ratter, had a charter of these from his father 30 March 1650, and died at Inverness in 1714. He married Elizabeth, daughter of Sir William Sinclair of Mey, Baronet, and had two sons and four daughters:—

1. John, his successor.
2. *William*, who, on the death of his uncle, David Sinclair of Freswick, succeeded to that estate, but of whom there is no male succession.
3. *Barbara*, married to John Sinclair of Forss.
4. *Frances*, married to James Sinclair of Latheron.
5. *Margaret*, married, first, to Alexander Sinclair of Brabster, and secondly, to Alexander Gibson, minister of Canisbay.
6. *Katharine*, married to George Manson of Bridgend.[1]

John Sinclair, fifth of Ratter, was served heir to his father 19 December 1719, and died 3 December 1733. He married Janet, daughter of Patrick Sinclair of Southdun, and had two sons:—

1. *John Sinclair* of Ratter, who died at Edinburgh in 1734, in minority, and unmarried.
2. William, who was a minor at his father's death, and the estate was taken charge of by his uncle William Sinclair of Freswick.
3. *Jacobina*, baptized 9 April 1717.

X. William Sinclair, sixth of Ratter, afterwards tenth Earl of Caithness, was born on 2 April 1727. On the death of Alexander, ninth Earl of Caithness in 1765, he sued out a brieve of mortancestry from Chancery, for serving himself heir-male to that Earl. Captain James Sinclair of the Honourable East India Company's Service also sued out a brieve to the same effect, and stated his pedigree to be from Sir James Sinclair of Murchil, second son of John, Master of Caithness. William Sinclair pleaded that James could not possibly be served heir-male to the Earl, because his father was illegitimate. Captain James could not then produce proof of the marriage of his grandparents, and, on 28 November 1768, William Sinclair was served

[1] Caithness Retours, 48.

nearest lawful heir-male to Alexander, ninth Earl of Caithness. He next presented a petition to the King, claiming that title and dignity, which petition was, by his Majesty's command, presented to the House of Lords, 5 February 1771. It was resolved, by the Committee of Privileges, 7 May 1772, that William Sinclair of Ratter had a right to the title, honour, and dignity of Earl of Caithness, as heir-male of the body of William, who sat in Parliament in 1505.

William, tenth Earl of Caithness, to whom the title was thus adjudged, died at Edinburgh on 29 November 1779, in the fifty-third year of his age. He married Barbara, daughter of John Sinclair of Scotscalder, and by her, who died at Bath, 20 February 1793, had issue five sons and two daughters:—

1. John, eleventh Earl of Caithness.
2. *William*, an officer in the army, who died at New York, 30 October 1776, of a fever and flux, occasioned by lying several days in the fields, in the course of military duty.
3. *James*, who died young and unmarried.
4. *Alexander*, who also died young and unmarried.
5. *David*, who also died young and unmarried.[1]
6. *Isabella*, died unmarried.
7. *Janet*, married, 31 July 1784, to James Trail of Hobbister, advocate, Sheriff-depute of Caithness and Sutherland, with issue. She died in George Street, Edinburgh, 29 March 1806, and was buried, on 3 April, in Rosslyn Chapel.

XI. John, eleventh Earl of Caithness, had an ensign's commission in the 17th Regiment of Foot, 23 September 1772, a lieutenancy in the same regiment, 7 July 1775, was promoted to the majority of the 76th Foot, 29 December 1777; served some years in America, and was wounded in the groin by a musket-ball while reconnoitring with Sir Henry Clinton at the siege of Charlestown. He succeeded his father in 1779, had the rank of lieutenant-colonel in the army, 19 February 1783, and dying suddenly, and unmarried, at London, 8 April 1789, in the thirty-third

[1] Henderson, 49.

year of his age, was buried at Mary-le-bone. He died possessed of the lands of Ratter, and of Hollandmark, which were brought to a judicial sale and sold for £13,313. The title then went to a very distant branch, Sir James Sinclair of Mey, descended of George Sinclair of Mey, third son of George, fourth Earl of Caithness. (See *ante*, p. 342.)

George Sinclair of Mey. On 7 September 1574, he was served heir of tailzie to William Sinclair, his brother, lawful son of George, fourth Earl of Caithness, in the lands of Cannasbie, Scittar, Qwys, Hwnaye, Stronaye, and in the superiority of Warris, Smyddeis, Dwnat, and Murkill, with mills.[1] In 1572 the Bishop of Caithness appointed him Chancellor of the Diocese.[2] He was secured in the remainder of his father's pension of £90, 19s. 4⅔d., on 1 June 1578. He had a charter to himself and Margaret Forbes, his wife, of the lands and lordship of Plaidis, Pettnelie, Pettagorte, and other lands, bought from Robert Innes of that Ilk, dated 24 July 1585, and confirmed by the Crown 30 October thereafter.[3] Other charters from the Crown followed on 18 December 1591,[4] and 21 July 1592.[5] There were also charters of various lands from the Bishop of Ross, William Sinclair of Dunbeath (confirmed by the Bishop of Caithness) to him and Margaret Forbes, his spouse, and William Sinclair, their elder lawful son, all confirmed by the Crown on 22 December 1610.[6] The Caithness family historian says, 'He was a man of ability, who lost no opportunity of promoting his family interests, and considerable additions to the family estates were made by him.'[7] He died in 1616.[8]

He married, before 1583, Margaret, sixth daughter of William, seventh Lord Forbes (she was born 14 October 1557),[9] by whom he had four sons and five daughters.

Sir William Sinclair of Mey, the eldest son, was educated at the High School of Edinburgh. In the riot at that seminary, 5 September 1595, he killed John Macmorran, one of the bailies of Edinburgh, who was attempting to quell the disturbance; for which crime he obtained a remission under the Great Seal, 28 July 1600, wherein he is

[1] Caithness Retours (3). [2] Henderson's *Caithness Family History*, 61. [3] *Reg. Mag. Sig.* [4] *Ibid.* [5] *Ibid.* [6] *Ibid.* [7] Henderson, 60. [8] *Ibid.* [9] Ms. *penes* A. T. G.

designed eldest son of George Sinclair of Mey. He was knighted by James VI., had a charter of the lands of Lytill Kylmure and others, 11 December 1592.[1] On 29 September 1600 he had charter from his father of all his lands, to him and Katherine Ros, his future spouse, under reservation of the father's liferent and Margaret Forbes his spouse's terce, which was confirmed by the Crown on 7 July 1603.[2] On 14 January 1617 he was served heir to his father in his lands.[3] By charter, dated at Edinburgh, 15 July 1622, Sir William (designing himself of Catboll) put his eldest lawful son, James, in the fee of his lands, under the usual reservation of liferent; confirmed by charter of John, Bishop of Caithness, with consent of dean and chapter, 15 July and 31 August 1622; and confirmed by the Crown, 8 July 1623.[4] By some he is supposed to have been created a Baronet. Milne, in his 'List of Nova Scotia Baronets,' includes his name with the qualification 'only in a list.' He was alive in 1636, and perhaps in 1647.

Sir William married Katherine Ross, second lawful daughter of George Ross of Balnagown, their marriage-contract being dated 23 April 1600; and by her had a son:—

Sir James Sinclair of Mey, who in his father's lifetime was designed of Cannisbay. He was created a Baronet 2 June 1631. On 17 February 1636 there was a charter from the Crown to Sir William Sinclair of Catboll, Knight, in liferent, and to Sir James Sinclair of Cannisbay, Knight Baronet, his son, in fee, and the heirs-male procreate betwixt him and Dame Elizabeth Leslie, his spouse, whom failing to Sir James's heirs-male and assignees whomsoever, of the lands and barony of Plaidis and other lands, which Sir William resigned, in implement of a contract of marriage between the said Sir William and the said James (therein designed James Sinclair of Barrogill) on the one part, and Dame Jean Stewart, lady of Lindores, and the said Elizabeth, her lawful daughter, on the other part, dated 14 and 26 July 1628; all which lands were united by the Crown in the free barony of Cannisbay.[5]

Sir James married as above, in 1628, Dame Elizabeth

[1] *Reg. Mag. Sig.* [2] *Ibid.* [3] Caithness Retours (97). [4] *Reg. Mag. Sig.* [5] *Ibid.*

Leslie, second daughter of Patrick, Lord Lindores, by Jean Stewart, his wife, daughter of Robert, Earl of Orkney, and by her had issue four sons and two daughters:—

1. SIR WILLIAM of Mey.
2. *John* of Stangergill, *d. s. p.*
3. *Robert*, designed as of Durran. He married (contract dated 1 March 1678) Anne, youngest daughter of William Sinclair of Rattar, by whom, with other children, he had a son and successor:—

John Sinclair of Durran. He died in 1728, having married Elizabeth, eldest daughter of George Sinclair of Barrock, by his second wife, Elizabeth Murray, daughter of David Murray of Clairden, with issue four sons and one daughter:—

i. *Robert*, who died in 1725.
ii. *John*, who died in 1727.
iii. *James* of Durran.
iv. *George*, major in the 65th Regiment, who died without issue.
v. *Jean*, baptized 10 December 1724, married to her cousin-german, James Sutherland of Swinzie.

James Sinclair of Durran, married, first, in 1744, Elizabeth, daughter of Sir Patrick Dunbar of Northfield, by whom he had three sons and four daughters:—

i. *James*, baptized 19 July 1745, died young.
ii. *Patrick*, his successor.
iii. *George*, baptized 11 February 1749, Writer to the Signet, who married, 19 September 1775, Elizabeth, daughter of John Sutherland of Forse. He died 6 December 1779, leaving a son:—

(i) *John Sutherland Sinclair*, born 1778, lieutenant-colonel in the Royal Artillery, who was three times married, and died 12 April 1841. By his first marriage, 22 June 1802, to Marianne, daughter of John Gamble, M.D., Colonel Sinclair had three sons and a daughter:—

a. George Sutherland, born 2 November 1803, W.S. 12 November 1829, died 16 January 1834.
b. John, lieutenant R.A., born 1805, died 22 June 1828, unmarried.
c. Francis Sutherland Gamble, died unmarried 1809.
d. Elizabeth Isabella, who died 18 June 1815, unmarried.

He married, secondly, 23 January 1817, Frances (who died 20 January 1823), youngest daughter of Captain David Ramsay, R.N., by Mary, daughter of Norman Macleod of Macleod, by whom he had three daughters:—

e. Mary Norman, who died 28 November 1880.

f. Amelia Anne, who married Robert Ellis Dudgeon, M.D., and died 9 December 1863.

g. Davidona Frances Stewart, who died young.

Colonel Sinclair, married, thirdly, 13 October 1824, Euphemia, daughter of Thomas Buchan of Auchmacoy, by whom he had (with two daughters, Euphemia Margaret, who died 12 October 1836, and Nicola Helen Meredith, who died 24 November 1855), three sons:—

h. James Augustus, who became sixteenth Earl of Caithness (*see below*).

i. Thomas Buchan, born 21 February 1829, died 30 April 1838.

k. Charles Home (35 4th Avenue Hove, Sussex), late Principal Clerk to H.M.'s Exchequer and Audit Department, Somerset House; born 4 March 1837, married 23 April 1868, Mary Louisa, daughter of Colonel John Paton of Grandholm, and has two daughters:—

(*a*) *Euphemia Helen*, born 26 February 1873.

(*b*) *Mary Esmé*, born 4 February 1875.

iv. *Major Robert*, who died at Bombay in 1793, unmarried.

v. *Margaret*, baptized 19 May 1744, married Patrick Honyman of Graemsay.

vi. *Katherine*, married, 1788, Lieutenant Alexander Robertson, R.N., son of James Robertson of Bishopmiln.

vii. *Elizabeth*, married, 1775, William Robertson of Auchinroath.

James Sinclair of Durran married, secondly, Dorothea Bruce, and had an only child:—

viii. *John*, who died before 1789.

Patrick Sinclair of Durran, baptized 26 June 1747, captain R.N., died at St. Domingo in 1794, having married Anne, daughter of Robert Sutherland of Langwell, and had issue:—

i. *Patrick*, who died young.

ii. *James*, lieutenant R.N., killed in action 21 July 1801, unmarried.

iii. *Catherine*, who sold Durran. She married Captain John Worth, R.N., of Oakley, Suffolk, and died in 1849, leaving an only child, Mary Catherine Sinclair Worth, who married Admiral Sir Baldwin Wake Walker, Bart., K.C.B.[1]

4. *George* of Olrig, ancestor of that branch.

5. *Anne*, married to Sir George Mackenzie of Tarbat, afterwards Earl of Cromarty, with issue. (*See title* Cromartie.)

[1] Henderson's *Caithness Family History* and Burke's *Peerage*.

6. *Elizabeth*, married to her cousin, Sir William Sinclair of Dunbeath.

SIR WILLIAM SINCLAIR of Mey, the eldest son, was infeft in Mey in 1662 as heir to his father, on a precept of *clare constat* from the Bishop of Caithness.[1] He married (contract 4 October 1648) Margaret Mackenzie, daughter of George, second Earl of Seaforth, and by her had two sons and three daughters:—

1. SIR JAMES of Mey.
2. *George*, an officer in the army, married Margaret Moncreiff, and had issue Margaret, born at Edinburgh 15 November 1687.
3. *Elizabeth*, married to John Sinclair of Ratter.
4. *Barbara*, married to David Sinclair of Freswick.
5. *Mary*.[2]

SIR JAMES SINCLAIR of Mey, the eldest son, married, first,[3] Frances, daughter of Sir John Towers of that Ilk and Innerleith, by whom he had a son and a daughter:—

1. SIR JAMES, who succeeded.
2. *Margaret* (Henderson calls her *Barbara*) married to Francis Sinclair of Stirkoke.

He married, secondly, Jean, daughter of Francis Sinclair of Keiss and Northfield, second son of George, fifth Earl of Caithness, apparently without issue.[4]

SIR JAMES SINCLAIR of Mey, third of the name, married Mary, daughter of James, second Lord Duffus, and had issue:—

1. SIR JAMES of Mey.
2. *William*.
3. *Kenneth*.
4. *Margaret*.

SIR JAMES SINCLAIR of Mey, fourth of the name, obtained a Crown charter in 1740, and married Margaret, daughter of John Sinclair of Barrock, by whom he had two sons. He died 4 October 1760.

1. SIR JOHN of Mey.

[1] Henderson. [2] *Ibid.*, 54. [3] Henderson says, 'It was Sir James's contemporary, Sir John Sinclair of Longformacus, who married the daughter and heir of Sir John Towers of Innerleith.' Playfair agrees. The explanation may be that the lady was twice married. [4] Henderson, 64.

2. *William*, who married Elizabeth, daughter of Richard Sinclair, merchant in Thurso, second son of Alexander Sinclair, last Laird of Dun. He had a son John, captain in the 79th Foot, who was killed at Waterloo, and a daughter, Williamina, who died unmarried.[1]

Sir John Sinclair of Mey, was served heir of taillie and provision in 1763, and died at Barrogill Castle, 26 March 1774. By Charlotte, his wife, second daughter of Eric, *de jure* fourth Lord Duffus, he left a son and a daughter:—

1. Sir James, who succeeded, and became twelfth Earl of Caithness.
2. *Margaret*, married, 1 September 1782, to the Rev. William Leslie of Darkland, with issue.

XII. Sir James Sinclair of Mey, eighth Baronet, and ninth in descent from George of Mey, Chancellor of Caithness, was born at Barrogill Castle, 31 October 1766, succeeded his father as Baronet in 1774, and became twelfth Earl of Caithness in 1789, but did not immediately assume the title. The same year, Sir William Dunbar, and other freeholders of the county of Caithness, objected against his remaining on the roll, on the ground that, though he had not assumed the honours of the earldom of Caithness, he had acquired, by succession, the right of that peerage. The matter went on appeal before the Court of Session, but ultimately it was not brought to a decision.[2] His Lordship was chosen one of the sixteen representatives of the Scottish Peerage at the general election in 1807. He was Lord-Lieutenant of the county of Caithness, and in 1810 was appointed Postmaster-General. His Lordship was also lieutenant-colonel of the Ross-shire Militia. He died at Barrogill 16 July 1823.

He married, at Thurso Castle, 2 January 1784, Jean, second daughter of General Alexander Campbell of Barcaldine, Deputy-Governor of Fort George, niece of Sir John Sinclair of Ulbster, Baronet, M.P., and by her, who died 2 April 1853, at Edinburgh, had issue:—

1. John, Lord Berriedale, born 20 July 1788, died at Barrogill Castle 1 June 1802, in his fourteenth year.

[1] Henderson, 65. [2] On 4 May 1793 he was found entitled to the honours (Burke).

2. ALEXANDER, thirteenth Earl.
3. *James*, born 24 October 1797, a lieutenant-colonel in the army; married, in 1819, Elizabeth, youngest daughter of George Tritton, Esquire, of Westhill, Wandsworth. He died, with issue, 18 January 1856.
4. *Patrick Campbell*, born 14 July 1800, married Isabella, daughter of Major-General M'Gregor, and died 13 March 1834. His widow died 3 March 1853.
5. *Eric George*, born 19 August 1801. He was in the Royal Navy, and died 26 September 1829.
6. *John*, born at Barrogill Castle, 4 July 1808; an officer in the army. He married, 22 October 1833, Maria-Petronella, youngest daughter of John Church, Esquire, and died 8 January 1861. His widow died 26 February 1878.
7. *Janet*, married, at Edinburgh, 10 May 1805, to James Buchanan, Esquire, of Ardenconnel, Dumbartonshire, afterwards of Craigend Castle, Stirlingshire, who died 21 December 1860. She died 24 February 1867. They left issue.
8. *Helen*, born 22 September 1786, died, unmarried, at Barrogill Castle, 1 October 1803.
9. *Charlotte Ann*, born 11 March 1792, married, at Edinburgh, 21 May 1810,[1] to Major-General Alexander Murray MacGregor, with issue. He died on 18 July 1823, and his widow on 7 April 1854.

XIII. ALEXANDER CAMPBELL, succeeded his father as thirteenth Earl. He was born 24 July 1790 at Barrogill Castle; married, 22 November 1813, at Mortlake, Surrey, Francis Harriet, daughter and co-heir of the Very Rev. William Leigh of Rushall Hall, co. Stafford, Dean of Hereford. This Earl was sometime an officer in the army, and was Lord-Lieutenant of the county of Caithness. He died 24 December 1855 at Edinburgh (Admon. 6 November 1858), leaving by his wife (who predeceased him there on 23 August 1854) two sons:—

1. JAMES, fourteenth Earl.
2. *William Leigh Canning*, born 1825, died 3 January 1834.

[1] *Scots Mag.*, lxxii. 399.

3. *Alexander Eric George*, born 20 May 1827. He served in the 91st Regiment, and died 21 August 1857.

XIV. James, fourteenth Earl, born at Edinburgh 16 December 1821. A Fellow of the Royal Society, and known to the scientific world as an inventor. A Representative Peer of Scotland, 1858 and 1865; created a Baron of the United Kingdom, as BARON BARROGILL, 1st May 1866. A Lord-in-waiting 1856-58, and again 1859-66, and Lord-Lieutenant and Vice-Admiral of Caithness. He married, first, 17 July 1847, at St. George's, Hanover Square, Louisa Georgiana, third and youngest daughter and co-heir of Sir George Richard Philips, Baronet, of Weston, co. Warwick. She died 31 July 1870, at Barrogill Castle. By her he had issue:—

1. George Philips Alexander, fifteenth Earl.
2. *Fanny Georgiana Elizabeth*, born 26 October 1854, who died, unmarried, 11 October 1883.

He married, secondly, 6 March 1872, at Edinburgh, Marie, Duchesse de Pomar (so created in 1879 by Pope Leo xiii.), only surviving daughter of Don José de Mariategui, and widow of His Excellency General the Condé de Medina Pomar. The Earl died in New York 28 March 1881, and was buried in the Chapel Royal, Holyrood. His second wife, who was born in 1830, survived him, and died 2 November 1895 in Paris.

XV. George Philips Alexander, succeeded his father as fifteenth Earl. Born 30 November 1858 in London, he was Lord-Lieutenant of Caithness, and lieutenant-colonel of the Caithness Artillery Volunteers. He died, unmarried, 25 May 1889, at Edinburgh, when his Barony of Barrogill became extinct, and his Scottish honours passed to his kinsman,

XVI. James Augustus, sixteenth Earl, heir-male of Robert Sinclair, fifth son of Sir James Sinclair of Cannisbey and Mey, Baronet (*see* p. 354). He was born 31 May 1827. He was for many years a chartered accountant in Aberdeen; he died 20 January 1891 in Paddington, and was buried in Old Aberdeen. He married, 26 April 1855, Jessie, daughter of Roderick Macleod, Esquire, M.D. of London, and by her, who survives him, had issue:—

1. John Sutherland, present Peer.
2. *Norman Macleod*, B.A. Camb., born 4 April 1862; married, 21 December 1893, Lilian, second daughter of Higford Higford, Esquire, of 23 Eaton Place, London, with issue:—
   (1) *Olivia*, born 15 October 1894.
   (2) *Diana*, born 21 April 1898.
   (3) *Lucy*, born 27 February 1902.
   (4) *Teresa* (twin), 27 February 1902.
3. *Charles Augustus* (Rev.), M.A. Oxon., Rector of Hempsted, Gloucester, born 11 May 1865, married, 25 October 1899, Marianne, second daughter of the late Rev. Edward Harman, Rector of Pickwell, co. Leicester, and has issue:—
   (1) *Janet*, born 14 October 1900.
   (2) *Nicola*, born 3 April 1904.
4. *George Arthur*, born 28 April 1874, Legal Department, Board of Trade, 7 Whitehall Gardens, London, S.W.
5. *Margaret Helen.*
6. *Euphemia Wilhelmina.*
7. *Meredith Isabel.*
8. *Mary Jessie.*

XVII. John Sutherland, seventeenth Earl, born 17 September 1857 in Aberdeen.

Creation.—Earl of Caithness and Lord Sinclair, 28 August 1455.

Arms.—Not recorded in Lyon Register, and variously given in different MSS. The following blazon is given in the Peers Arms (Lyon Office MS.):—Quarterly, 1st, azure a lymphad at anchor, sails furled and oars erect in saltire, within a double tressure flory counterflory or, for *Orkney*; 2nd and 3rd, or, a lion rampant gules for *Spar*; 4th, azure, a ship under sail or, for *Caithness*; over all a cross engrailed and counterchanged argent and sable, for *Sinclair*.

Crest.—A cock proper.

Supporters.—Two griffins proper armed and beaked or.

Motto.—*Commit thy work to God.*

[A. T. G.]

LIVINGSTON, EARL OF CALLENDAR

THE HON. JAMES LIVINGSTON of Brighouse, third and youngest son of Alexander, first Earl of Linlithgow, after serving with distinction as a soldier in various parts of Europe, and attaining the rank of colonel, returned to his native country in 1633, in which year he was appointed one of King Charles's Gentlemen of the Bedchamber, and created a Peer by the title of LORD LIVINGSTON OF ALMOND. The patent, which is dated 19 June 1633, refers to the services rendered by Sir James to the King, his father, and his only sister (Elizabeth, Queen of Bohemia), and also mentions his military achievements abroad, which conferred no small honour on his country. The destination of the dignity is to heirs-male.[1] In 1634 Lord Almond acquired the lands and barony of Callendar, on the resignation of his elder brother the second Earl of Linlithgow, the Earl of Wigtoun, and Sir James Douglas of Mordington,[2] and in 1637 the barony of Falkirk also came into his possession by purchase from the Earl of Linlithgow,[3] a number of other lands in Stirlingshire being subsequently added to his estates. When an army was levied in Scotland in 1640 to oppose the English and King

[1] *Reg. Mag. Sig.*, at date. [2] *Ibid.* [3] *Ibid.*

Charles, Lord Almond, who was one of the subscribers to the Confession of Faith 'as it was professed in 1580,' was chosen Lieutenant-General, or second in command under General Leslie, but matters were soon settled by the Treaty of Ripon. Lord Almond was one of the first who subscribed the bond of association in favour of the King at Cumbernauld early in 1641, and when Charles visited Scotland the same year he was pleased to raise his lordship to the dignity of EARL OF CALLENDAR, by patent dated at Holyrood House 6 October. The destination of the new dignity was limited to the heirs-male of the Earl's body. In 1648 the Earl of Callendar refused the lieutenant-generalship of the Scottish army, but the following year he accepted the command of the forces levied to oppose Montrose, who, however, beat a hasty retreat from Dumfries to Carlisle, and his opponent, after getting an Act of Approbation from Parliament, marched into England and joined the army under the Earl of Leven, which took Newcastle by storm in the month of October. When King Charles came (or was brought) to Newcastle in May 1646, the Earl of Callendar obtained from His Majesty a patent, dated 28 July, granting to him, in the event of the failure of heirs-male of his body, the power of nominating the person who should succeed him in his estates and titles, and in default of such nomination these were to pass to his nephew Alexander Livingston, and his heirs of entail and provision. Another honour the Earl obtained at this meeting with His Majesty was the Sheriffdom of Stirlingshire in succession to the Earl of Mar. When, in 1672, the Earl, in virtue of this office, claimed the customary Sheriff's gloves and the gift of a stag every year from the burgh of Stirling, one of the pleas in defence of the action he raised against the town was that the office of Sheriff, having been given to the Earl by Charles I. during his captivity in the Isle of Wight, it had since been revoked and declared void.[1] The appointment, however, is dated at Newcastle 4 August 1646,[2] nearly a year before the King went to the Isle of Wight. In the 'Engagement' of 1648 the Earl of Callendar was second in command to the Duke

[1] Fountainhall's *Historical Notes*, i. 47. [2] *Reg. Mag. Sig.*

of Hamilton, and on the surrender of Carlisle to the Scottish army on 9 July, he was appointed governor of the town and citadel. On the disastrous failure of the expedition at Preston in August, the Earl escaped in disguise to Holland, and his estates were forfeited and dealt with by Cromwell, who allowed nothing to the Countess out of the revenues, but did not interfere with the jointure she enjoyed as Dowager Countess of Dunfermline. The Earl returned at the Restoration, and was re-invested in his estates, and got a new patent, dated at Whitehall 21 November 1660, providing the succession to his nephew, Alexander Livingston, second son of Alexander, second Earl of Linlithgow, and the heirs-male of his body, whom failing, to the second son of George, third Earl of Linlithgow, and the heirs-male of his body, whom failing, to Alexander Livingston, son of the deceased Sir Alexander Livingston of Dalderse, a natural son of the Earl's, with other remainders. The editors of Wishart's *Deeds of Montrose*, Edinburgh, 1893, make the following comment on the career of the first Earl of Callendar:[1] 'He was a nobleman who, between war and politics, was much put to it in steering a course for himself, but on the whole succeeded. In Montrose's cipher key he is represented by 'Almanack,' probably from his study of the signs of the times.' Crawford in his *Peerage*, followed by Douglas, says that the Earl died in 1672 very aged, but he is mentioned as a heritor of the parish of Manuel in a deed dated 20 November 1673,[2] and according to a Falkirk periodical he died in 1674.[3]

He married (contract dated 1633) Margaret Hay, only daughter of James, seventh Lord Yester, sister of John, first Earl of Tweeddale, and widow of Alexander Seton, first Earl of Dunfermline, High Chancellor of Scotland. She died without issue by her second husband on 30 December 1659, *ætatis suæ* sixty-seven.[4] The Earl left two illegitimate children, Alexander and Helena. The son, who was knighted, became known as Sir Alexander Livingston of Dalderse. He married Jean Hamilton, and their son, Alexander, is mentioned in the remainder

[1] Page 45 *n*. [2] Linlithgow Charters. [3] *Falkirk Monthly Magazine*, April 1827, 144, cited in *The Livingstons of Callendar and their Principal Cadets*, by E. B. Livingston, privately printed, 1887-1889. [4] Inscription on coffin in vault of Dalgety Church in Fife. *Cf.* Lamont's *Diary*.

clauses of the patent of the earldom, dated 1660, as an heir of tailzie.[1]

In terms of this patent, the first Earl of Callendar was succeeded by his nephew,

II. ALEXANDER, second son of Alexander, second Earl of Linlithgow, who married (contract dated 25 and 28 August 1663) Mary, third daughter of William, second Duke of Hamilton, but had no issue by her. After his death in August 1685, she married, secondly (contract dated 28 June 1690), Sir James Livingston of Westquarter; and thirdly, James, third Earl of Findlater. The second Earl of Callendar had a natural son, Sir Alexander Livingston of Glentirran, who was created a baronet of Nova Scotia 20 July 1685.

III. ALEXANDER, third Earl of Callendar, who, after a prolonged lawsuit, succeeded his uncle, the second Earl, was the second son of George, third Earl of Linlithgow. There is a letter from the Privy Council, dated 6 May 1688, appointing the Earl of Callendar colonel of the Stirlingshire Militia for securing the peace of the kingdom.[2] He died in December 1692, leaving by his wife Anne Graham (who was living February 1704), eldest daughter of James, second Marquess of Montrose, one son and two daughters:—

1. JAMES, fourth Earl.
2. *Henriet*, who died unmarried 25 May 1738, and was buried in Holyrood Chapel.
3. *Mary*, married 1717 to James Graham of Airth, in the county of Stirling, Judge-Admiral of Scotland, and had issue, and died 26 March 1734.

IV. JAMES, fourth Earl of Callendar, was, in his minority, served heir to his father 4 August 1693, and on the death of his uncle George, fourth Earl of Linlithgow, in August 1695, he also succeeded to that title. His honours and estates were forfeited by his engaging in the rebellion of 1715.

CREATIONS.—19 June 1633, Lord Livingston of Almond, 6 October 1641, Earl of Callendar.

[1] *Reg. Mag. Sig.* [2] Minutes of Commissioners of Militia of Stirlingshire.

ARMS.—Quarterly: 1st and 4th, sable, a bend between six billets or, for *Callendar*; 2nd and 3rd, argent, three cinquefoils gules within a double tressure flowered and counterflowered with fleur de lys vert, for *Livingston*, with a crescent in the centre for difference.

CREST.—A dexter hand, holding a sword, proper.

SUPPORTERS.—Two lions gules.

MOTTO.—*Et domi et foris.*

[W. B. C.]

ERSKINE, LORD CARDROSS

JOHN, seventh Earl of Mar, was created LORD CARDROSS by charter, dated at Greenwich 10 June 1610,[1] with destination to himself and his heirs-male and assigns whatsoever. By virtue of the powers conferred on him therein, he, on 31 January 1617, assigned the said dignity, reserving his own liferent, in favour of Henry Erskine, the second son of his marriage with his second wife Mary, daughter of Esme, Duke of Lennox. This assignation was confirmed 13 March 1617.[2]

HENRY ERSKINE, to whom the title of Lord Cardross was assigned by his father, never inherited the honour, as he predeceased him in 1628. He married, shortly after 14 December 1625,[3] Margaret, only daughter of Sir James Bellenden of Broughtoun, and had issue:—

II. DAVID ERSKINE, who on the death of his grandfather John, Earl of Mar, on 14 December 1634, succeeded to the lordship of Cardross. He was one of the few peers who opposed the surrender of King Charles I. to the Cromwellians at Newcastle in 1646. On 18 February 1664 he had a charter of the lordship of Cardross, with power of

[1] *Reg. Mag. Sig.* [2] *Ibid.* [3] *Gen. Reg. Sas.*, xviii. 351.

nominating his successor in the Peerage, which failing, with remainder to the heirs-male of his body, whom failing to his heirs and assigns whomsoever. He died in 1671. He married, first, contract dated 9 August 1645,[1] Anne, fifth daughter of Sir Thomas Hope of Craighall, Bart., Lord Advocate. He married, secondly, in 1655, Mary, youngest daughter of Sir George Bruce of Carnock, and sister of Edward, Earl of Kincardine, and had issue.

Issue by first marriage:—

1. HENRY, third Lord.
2. *Margaret*, who was married to William Cunningham of Boquhan in Stirlingshire, and had issue.

Issue by second marriage:—

3. *Alexander*, died young.
4. *William* of Torry, M.P. for Culross 1689-97, Lieutenant-Governor of Blackness Castle; died 5 October 1700;[2] married his cousin-german Magdalen, daughter of Sir James Lumsdain, with issue.
5. *John* of Carnock, born at Cardross 30 May 1662, accompanied William of Orange to England in 1689, and was appointed Lieutenant-Colonel of Lord Cardross's Regiment of Dragoons 19 April 1689, Lieutenant-Governor of Stirling Castle 8 May 1701, and of Dumbarton Castle 25 August 1702.[3] He was M.P. for the burgh of Stirling 1702-7, and for that district of burghs 1707-10, and died at Edinburgh 13 January 1743.[4] He married, first, 14 March 1690, Jane, daughter and heiress of William Mure of Caldwell; she died in May 1690 *s.p.*: secondly, 5 January 1691,[5] Anna, elder daughter of and co-heiress of William Dundas of Kincavil, advocate; she died 29 June 1723, leaving issue four sons and a daughter: thirdly, 28 April 1725, Lilias, eldest daughter of Sir John Stirling of Keir, and widow of John Murray of Touchadam and Polmaise; she was born 12 January 1681, and died *s.p.* 27 March 1729: and, fourthly, 25 November 1729, Mary, daughter of Charles Stuart of Dunearn; she died 12 September 1772, and had issue a son.

[1] *Reg. Mag. Sig.*, 10 June 1646. [2] *Services of Heirs*, 1700-1709.
[3] Dalton's *Army Lists*. [4] *Scots Mag.* [5] Edin. Reg.

6. *Charles*, captain in the Earl of Leven's or Edinburgh Regiment, 19 July 1689, fell at Steinkirk 4 June 1692.
7. *Veronica*, married, 10 September 1703,[1] to Walter Lockhart of Kirktown, Lanarkshire, and had issue.
8. *Magdalen*, baptized at Port of Menteith 14 February 1667, married to Alexander Moneypenny of Pitmilly.
9. *Maria*, died 1 April 1680 unmarried.[2]

III. Henry, third Lord Cardross, succeeded his father in 1671, and having joined the party opposed to the Earl of Lauderdale's government, was imprisoned in Edinburgh Castle for four years from 5 August 1675. Released on 30 July 1679, he shortly thereafter proceeded to North America, where he founded a colony in Carolina, which was destroyed by the Spaniards. He returned to Europe, and going to Holland he entered the service of William of Orange, whom he accompanied to England in 1688. He raised a regiment of dragoons, of which he was appointed colonel on 19 April 1689; a member of the Privy Council and General of the Mint; died at Edinburgh 21 May 1693 in his forty-fourth year, from the effects of the hardships he had undergone. He married, 3 March 1671,[3] Catherine, youngest daughter of Sir James Stewart, and co-heiress of her brother Sir William Stewart of Kirkhill, who survived him, and died in January, and was buried in the Abbey of Holyrood 1 February 1725.[4] They had issue:—

1. David, fourth Lord.
2. *Charles*, admitted advocate 24 June 1704, died at Edinburgh 25 February 1763.[5] He married Ann, daughter and heiress of Walter Scott of Edenshead, youngest son of Sir John Scott of Scotstarvit, with whom he got the estate of Edenshead. She died 19 December 1763 without surviving issue.
3. *William*, Deputy-Governor of Blackness Castle, died before 10 October 1739,[6] married Margaret, daughter of Colonel John Erskine.
4. *Thomas*, born at Edinburgh 5 June 1691, admitted advocate 17 July 1716, and died at Edinburgh 14 January 1731. He married, 15 June 1721,[7] Rachel,

[1] Edin. Reg. [2] *Services of Heirs*, 1700-1709. [3] Edin. Reg. [4] Funeral Escutcheon and Holyrood Reg. [5] *Scots Mag.* [6] Edin. Tests. [7] Edin. Reg.

daughter of John Libberton, merchant burgess of Edinburgh; she died 30 June 1769, leaving issue.

5. *Catherine*, married, first, to Sir William Denholm of Westshields; and secondly, 4 April 1714, to Daniel Campbell of Shawfield, and had issue a daughter.
6. *Mary*, born 30 March 1690, married to James Nimmo, merchant and cashier of excise in Edinburgh, and died at Edinburgh in June 1733, leaving issue three daughters.
7. *Anne*, born 9 December 1692, married to Archibald Edmonstone of Duntreath, and died before 1716.

IV. David, fourth Lord Cardross, baptized at Port of Menteith 3 January 1672, captain in Lord Cardross's dragoons November 1690, succeeded on the death of his cousin William, Earl of Buchan, in 1695 to that title, *which see*.

Creation.—10 June 1610, Lord Cardross.

Arms (recorded in Lyon Register).—Quarterly: 1st and 4th grand quarters, gules, an eagle displayed or, armed and membered azure, looking towards the sun in his splendour placed in the dexter chief, as a coat of augmentation; 2nd grand quarter, counter-quartered, 1st and 4th, azure, a bend between six cross-crosslets fitchée or, for *Mar*; 2nd and 3rd, argent, a pale sable, for *Erskine*; 3rd grand quarter, counter-quartered, 1st and 4th, or, a fess chequy azure and argent, for *Stewart*; 2nd and 3rd, azure, three garbs or, for *Cumming*.

Crest.—A hand bearing up a boar's head erased on the point of a skene thrust through the same proper.

Supporters.—Dexter, a horse argent, furnished gules; sinister, a griffin parted per fess argent and sable, armed and membered gules.

Motto.—*Fortitudine*.

[F. J. G.]

CARLYLE, LORD CARLYLE

VERY considerable antiquity has been claimed for the family of Carlyle, some writers affirming that it was settled in Cumberland before the Conquest, and that its origin was either British or Saxon. But while the name is clearly derived from the town or district of Carlisle,[1] with which the earliest recorded members of the family were connected, there is no trustworthy evidence of their origin or of their history before the time of King Henry I. (1100), or at least before 1092, when King William II. (Rufus) overran Cumberland, adding it to his English kingdom, and began to rebuild the town of Carlisle, placing Randolf or Ranulf Meschin (or the younger) in authority, as Lord of the 'Honor of Carlisle.' It has been stated that at the Conquest Hildred Carlyle ('de Karliolo'), the reputed ancestor of the family, was possessed of Carlisle, Cumquintin (or Cumwhinton), Newby on the moor, and other lands, including Kirkbampton, his chief seat. He is said to have married a granddaughter of Waltheof, Earl of Northumberland. He is also stated to be a witness to the foundation charter by the Conqueror to Richard, Abbot of Wetherall, and to a subsequent charter by Ranulf Meschin in 1088, in

[1] Early spellings of Carlisle ('Caerluel') are, among others, Carleol, Carlel, Chaerleolium, Karliol, and in Norman-French 'Cardoille.'

favour of the monks of Wetherall.[1] But these statements must be discounted by the following, that the Conqueror never held Cumberland, and was dead some years before the foundation of the Priory of Wetherall, while the existence of Richard, the alleged first prior, is a matter of doubt.[2] The true date of the foundation of the priory (not by the Conqueror, but by Ranulf Meschin) may be between 1092 and 1100, when William II. died, or between that date and 1112, but no Hildred appears as witness.[3] There is, however, a Hildred, a knight, a witness to a charter by Ranulf to the monks of Wetherhal of a fishery, dated not later than 1120,[4] but it is not certain that he was the ancestor of the Carlyles,[5] who, however, bore the same Christian name. They were contemporaries, as the direct ancestor and first recorded of the family appears certainly about 1130, as

Hildred of Carlyle ('de Karleolio'), who at that date or before it, is found rendering accounts to the Exchequer of the 'old farm' and 'new farm' of Carlisle and the King's manor there, dealing also with the wall of the city and with the rents of a silver-mine in which the burgesses of Carlisle were interested.[6] He is at first designed simply Hildret or Hildred, and may have been acting as Sheriff of Carlisle, but his identity with Hildred of Carlyle is proved by the grant which he had from King Henry I. about 1130, of lands in Gamelby and Glassanby in Cumberland, for which in that year, or 1131, he rendered an account of 40s. In the original charter the lands are said to have belonged to Gamel, son of Bern, and Glassam, son of Brictric, the King's drengs, and the new tenants were to continue to pay the King's yearly 'nowtgeld,' or toll of animals. The grant was valued at £15, 9s. 9½d.[7] About the same date, Hildred of Carlyle grants to the recently founded priory of Wetherhal the land and wood which had been in dispute betwixt them,

[1] Article in *The Patrician*, by John Burke, 1847, vol. iii. 564; cf. also *Notes and Queries*, 3rd ser. xi. 460. [2] *Registrum Prioratus de Wetherhal*, by J. E. Prescott (1897), 504. [3] *Ibid.*, 6, note 14, where the editor favours the later date. [4] The writer in *The Patrician* assumes they were the same, and asserts that Hildred and his five successors were all 'knights,' which is not borne out by written evidence. [5] *Reg. de Wetherhal*, 9 and 10, note 11. [6] *Cal. Docs. Scot.*, i. No. 26. [7] *Ibid.*, Nos. 26, 470.

and he made this gift in his upper gallery in Carlisle, by tenure of the rod, in presence of the 'parochia' of the Church, and a company of monks, knights, and burgesses of Carlisle.[1] Besides the two manors named, he seems to have had Cumwhinton in Wetherhal, Kirkbampton, and some others, which later were possessed by his descendants.[2] It is not known when Hildred died, nor whom he married, as the marriage with Earl Waltheof's granddaughter is not proved, but he was succeeded by his son

Odard of Carlyle, who, it appears, held his father's lands of Gamelby and Glassanby during his lifetime. He probably held his father's other lands also, although the succession of them is not so clear. He appears as a witness to a charter by Uchtred, son of Fergus, lord of Galloway, to the Hospital of St. Peter at York, dated between 1158 and 1164.[3] He is stated to have been in the castle of Carlisle in the service of King Henry II., when the fortress was besieged by King William of Scotland in 1174, but he appears to have died not long afterwards, or before 1177, when the lands appear in the hands of the Crown.[4] Odard was not improbably one of those who followed the Bruces, the great lords of Annandale, into Scotland, and he appears to have held the fief of Hodelme or Hoddom there, as in later processes affecting his English lands he is described as Odard de Hodelme. This Odard is not to be confounded with Odard the Sheriff, who was a contemporary. He had issue, so far as known:—

1. Robert, of whom hereafter.
2. *Richard*, who is named along with his brother Robert in two charters, renewing to the monks of Wetherhal the grant of land and wood made by their grandfather Hildred, adding other benefits. Richard is named first in the writs, which are dated some time before 1195, but nothing further is known regarding him except that he had a son *Robert*, who is a witness to both writs.[5]

[1] *Reg. de Wetherhal*, 143-147. [2] *Ibid.*, 148-151. [3] *Cal. Docs. Scot.*, ii. No. 1606 (6). [4] *Ibid.*, i. No. 280; *Reg. de Wetherhal*, 174, No. 94, note 1. [5] *Reg. de Wetheral*, 148, 149. The editor of this register (145-147) assigns to him another son, Anschatill, but the evidence is meagre and not satisfactory.

Robert of Carlyle, or of Hodelm as he is chiefly styled, was born about 1139, as in a plea of 1199 he refers to himself as a man of sixty or more.[1] It is probable that he took his surname from the lands he held in Scotland, probably Hoddom, and he also, as is proved by a charter to his son Adam, held the lands of Locardebi or Lockerbie in Annandale, which were given to him by the Robert Brus, Lord of Annandale, who died about 1194.[2] That his sympathies were with Scotland is indicated by his paying 15 merks in 1177 to obtain the King's peace, and also by an accusation brought against him, in 1199, charging him with breaking his fealty to King Henry II., and joining rebelliously with King William of Scotland, when the latter in 1174 ravaged Cumberland and besieged Carlisle. The accuser declared that he had challenged Robert in presence of King Henry himself, who expelled him from the Court. Robert pleaded that his father Odard was in 1174 in the castle of Carlisle on King Henry's service, that he held the land which the accuser claimed, and died in possession, while Robert himself then held no land.[3] He appealed to a jury, the result being that the accusation was quashed, as it had been concealed so long, the accuser was fined, and Robert de Hodelm acquitted.[4] The names of the lands in dispute are illegible in the original of this plea, but other writs show they were Gamelsby and Glassanby, which Robert claimed as heir of his father Odard, but which had been taken from him by King Henry II. about 1177, and were by King Richard I., before 1189, given to Richard, son of Richard Fitz-Truite, the person who afterwards brought the accusation in 1199 with a view to disinherit Robert.[5] Richard had sasine of the lands in that year, but apparently they returned to the ownership of Robert's son, Adam. Robert is a witness to various writs by William Brus, Lord of Annandale, after 1194, and he was still alive in February 1208-9, when he renewed his plea about Gamelsby and Glassanby against his

[1] *Cal. Docs. Scot.*, i. No. 280. [2] The writer in *The Patrician* confounds this with 'Bochardebi,' near Carlisle, which he states Robert Brus gave to Robert Carlyle in place of his lands forfeited, but there can be no doubt that Lockerbie in Annandale was the subject of the grant. [3] No land in England is probably meant. [4] *Cal. Docs. Scot.*, i. No. 280; *Genealogist*, N.S. viii. 200-204. [5] *Ibid.*, i. Nos. 289, 470.

old enemy Richard, son of Richard. But he was apparently dead in the following year, when his son was in possession of the disputed lands which, according to testimony given at a later date, were bestowed on him by King John.[1] Robert of Hoddom had issue:—

1. ADAM, of whom hereafter.
2. *Odard*, who is named with regard to his father's pleas as to the disputed lands of Gamelsby and Glassanby, and who got possession of them between February 1209 and 1211, but appears to have died then or soon afterwards, as in 1211-12 his wife was married, or about to be married, again to Robert de Musters.[2] He had issue two daughters, his co-heiresses:—

   (1) *Christian*, married to William Ireby, who left her a widow in December 1257,[3] with issue at least one daughter:—

      i. *Christian*, married first to Thomas de Lascelles, who died before September 1260;[4] secondly, before 1267, to Adam de Gesemuthe. He became a crusader in 1270,[5] and probably died abroad, as she married thirdly, before 1275, as his second wife, Robert Brus, Lord of Annandale (the Competitor), whom she survived, dying about September 1305, without issue.[6]

      ii. *Eva* is stated to have been a coparcener with Christian, but the evidence is conflicting.[7]

   (2) *Eva*, married, first, to Robert Lovell, apparently without issue, was a widow before February 1242-43;[8] married secondly, before 13 October 1246, to Alan de Chartres.[9] She or her niece of the same name had in 1258-59 an heir, then under age, and who was a ward of Prince Edward, afterwards King Edward I.[10]

These two co-heiresses and their marriages are traceable by the history of their father's manors, Gamelsby and Glassanby, which were a frequent subject of litigation.

ADAM OF CARLYLE is described as the son of Robert in more than one writ, but in the first *dated* document in which he appears he is styled Adam de Karleolo. He is the first of his family whose connection with Scotland is clearly established, though his father, Robert, certainly held

[1] *Cal. Docs. Scot.*, Nos. 449, 470, 483; ii. p. 151. [2] *Ibid.*, Nos. 483, 493. [3] *Ibid.*, Nos. 1610, 2097. [4] *Ibid.*, No. 2203. [5] *Ibid.*, i. Nos. 2442, 2564. [6] *Ibid.*, ii. Nos. 43, 51, 1690. [7] *Ibid.*, No. 2144. [8] *Ibid.*, i. No. 1610. [9] *Ibid.*, No. 1695. [10] *Ibid.*, No. 2144.

land there, and he was the first to possess Kinmount, which descended in his family for several generations. As already stated, his father held lands in Lockerbie ('Locardebi') given to him by Robert Brus, and they seem to have formed a cause of dispute between the granter's son, William de Brus, who became Lord of Annandale about 1194, and Adam Carlyle. The latter took the case before the judges at Westminster, and an agreement was made in Court by which Adam, the plaintiff, quitclaimed the lands of Lockerbie to William de Brus, the defendant, who in return grants so much land in Kinemunt (Kinmount) and other places, including 'Braeansweit' and a mill on the water of 'Polranban,' probably the water of Pow, near Kinmount. This agreement was dated 29 October 1198, and William Brus bound himself, as he could not warrant the lands to Adam, to give him, if necessary, equal value in Herternes or Hartlepool.[1] This writ was evidently the basis of a charter not dated, but probably not long subsequent, by which William Brus grants to Adam, son of Robert, the lands named Kinmount, in the parish of Cummertrees, defining the boundaries, and granting commonty of pasture with the tenants of Millebi, and with Brakanephiet, also one mill with a pond and a reasonable site, and with reasonable roads to the mill and to the water to be led to the mill upon 'Polraban,' in the territory of Cumbertres. The granter gave power to build and cultivate within the bounds, except in Bracanepheit, where no houses were to be made without his permission. Adam and his heirs were to have free roads to market through the forest at Lochmaben, through Dalton, and to Dumfries through 'Rochel,' perhaps Rockhall, to be held for the fourth part of a knight's service, the chase of stag and hind, hog and roedeer being reserved to the granter. The granter also declares the lands and mill to be given in exchange for the lands of Locardebi (Lockerbie) which Robert Brus, his father, gave to Robert, the granter's father, and he binds himself to warrant the grant by an equal exchange, if necessary, from his lands in Herternes or Hartlepool.[2] About the same time, or a little later, William Brus granted a saltpan, also

[1] *Cal. Docs. Scot.*, i. No. 2666. [2] *Fifteenth Rep. Hist. MSS.*, App. viii. No. 67. See also facsimile of writ in *Annandale Book*, I. xiii.; 1, 2.

a fishery and a net on the seashore.[1] From later evidence it appears that these subjects lay between Cummertrees and Lochar, as they are so described in a decreet in 1445, made in an action by William Carlyle, the then owner of the fishery, which will be noted later on.

Adam Carlyle appears as a witness to a grant by Hugh Morville to the Priory of Wetherhal, the date of which is uncertain, but cannot be later than 1202-3.[2] A year or two later, or after 1204, he granted, as Adam, son of Robert, a moiety of the tithes of his lands of Little Bampton in Kirkbampton parish to the hospital of St. Nicholas of Carlisle, on condition that it should always have two almsmen from that parish.[3] About the same time he gave, with consent of his wife, half a carucate of land in the fields of Ormesby, which is called Mirland, with all easements belonging to the vill of Ormesby within and without to the monks of the Priory of Wetherhal, also pasture in the vill for their own animals, specially for 300 ewes with their lambs, or as many 'muttons.'[4] He may be identical with the Adam de Carliol who appears as witness to a charter by Alice de Rumeli, daughter of William FitzDuncan, granting hunting rights in Borrowdale, Cumberland, to the Abbey of Furness between 1210 and 1212, and to some other transactions in the same county about same dates.[5] He disappears from record after 1212, and perhaps died not long afterwards. His wife's name was Matilda, but her family is not recorded. Adam Carlyle had issue at least one son:—

Eudo of Carlyle, who confirms the charter by his father Adam of the lands of Ormesby. The earliest notice of him on record is in 1217, when his lands in Norfolk were ordered to be bestowed on Robert de Vaux, because Eudo was with the King of Scots, Alexander II., then at variance with the young King of England, Henry III., who thus seized the lands. The two Kings shortly afterwards became reconciled, and possibly the confiscation was not carried out.[6] Between 1223 and 1229 he confirmed his father's grant of

[1] The only available copy of this writ is printed, very imperfectly, in *Notes and Queries*, 3rd series, xi. 460, 461. The saltpan is there described as between Cummertaies and Cocho. [2] *Reg. de Wetherhal*, 190. [3] *Ibid.*, 177, and authorities cited. [4] *Ibid.*, 293-295. [5] *Cal. Docs. Scot.*, i. Nos. 503-554. [6] *Ibid.*, No. 682; cf. 686.

Mirland to the monks of Wetherhal, adding, further of his own gift, the whole land which belonged to him, as to which he had taken a brieve of novel disseisin upon Warin of Mira who held the land.[1] Within the same dates he granted to the same priory the deal wood in the wood of Cumquintin, growing and dry, to be taken by the monks in the wood wherever and whatever they wish, for the upkeep of their house without the sight of the forester. He also permitted them to take the standing oaks which are dry in fruit ('quercus stantes qua sunt siccæ in croppo') for the same purpose, without oversight of any one or hindrance by him or his heirs; and if the priory carts or wains ('karri vel carretta') broke down in the wood, they might take standing green wood necessary for repairs, without hindrance. The pigs of the monks and their men were to have free pasturage ('agistationem') in the wood for ever, wherever they desired, as well in time of feeding ('pessionis') as at other times.[2] In January 1224-25, a claim was made against him by a relative who demanded a certain share of Eudo's lands of 'Cumbrehale' and 'Cumquintin,' which action Eudo defended, but the sequel is not recorded.[3] He apparently died about 1230.[4] leaving at least one son:—

Sir William of Carlyle, who is referred to in a writ of later date as son of Eudo. He is first named in a writ in favour of Sir Robert Brus, the third of that name, Lord of Annandale, the date of which cannot be later than 1245, and he was then a knight.[5] Some time before 1252, as Sir William, son of Eudo of Carlyle, he granted to a relative Adam, son of Roger of Carlyle ('de Carliol'), an annual rent from lands in Cumquintin, which Adam afterwards bestowed on the monks of Wetherhal.[6] About 1260 he witnessed a grant of another annualrent from the same lands, and he himself in 1278 claimed 16 bovates, 25½ acres of land and 60 acres of wood, with the moiety of a mill, in Cumquintin from Richard Maunsel to whom he had leased it for three

[1] *Reg. de Wetherhal*, 295. [2] *Ibid.*, 150. [3] *Cal. Docs. Scot.*, i. No. 898.
[4] He and *his heirs* are referred to on 29 October 1230 in connection with services due from a tenement in Heyton or Hayton in Cumberland (*Cal. Docs. Scot.*, i. 203). [5] *Cal. Docs. Scot.*, i. No. 1685. [6] *Reg. de Wetherhal*, 151, 152.

years, that term being now expired.[1] He probably left two sons:—

1. William, of whom hereafter.
2. *Eudo*, who is described as Eudo, son of William, son of Eudo de Karlel, in a writ dated after 1285, by which he confirms to the monks of Wetherhal the annualrent granted, as already stated, by Adam, son of Roger Carlyle.[2] Nothing more regarding this Eudo has been ascertained.

William of Carlyle is described in the only recorded notice of him as William of Carlyle, younger. He died before 25 June 1274, and apparently in the lifetime of his father, which suggests that he was the son of the elder William. An inquest was held after his death to determine the holding of his manor of Cargow, in Cumberland, which had been possessed by Robert Ross of Werk, also now deceased, and the question was whether Ross died seised in the manor, or whether he held it only by demise from Sapientia, widow of young Carlyle. The jury affirmed that Ros neither held of the king *in capite*, nor by demise from Sapientia, but he died seised as of fee in the manor, holding it of her for a hawk or a silver mark yearly, and doing foreign service for her to the King, namely 32d. of cornage to the Exchequer at Carlisle.[3] In 1301 the same manor was in dispute between William Ros of Werk, formerly of Hamelak, who had received a grant of his kinsman's estates, and

William of Carlyle,[4] who there is thus reason to believe

[1] *Reg. de Wetherhal*, 161. *Cal. Docs. Scot.* ii. No. 29. Richard Maunsel appears about this period, and up to about 1298, as in possession of various lands formerly held by or from the Carlisles. Cf. *Reg. de Wetherhal.* [2] *Ibid. ut cit.* The editor thinks this Adam to be of the same family as Eudo, but of what relation does not appear. It may be noted that in the charter of Kinmount by William Brus, already cited, 'Roger, son of Udard' is a witness, as Udard of Hodelm is also a witness. Roger may have been *his* son, perhaps illegitimate. [3] *Cal. Docs. Scot.*, ii. No. 24. [4] The exact sequence of the pedigree in regard to the three Williams is somewhat doubtful, though the possession of Cargow seems to point to the third William being the son of Sapientia and her husband, rather than the son of Eudo; while as he certainly held the estates in Scotland he must have been the direct heir-male of Adam Carlyle, who first had Kinmount. In the homage roll of 1296 appears a Gilbert de Carlel of Dumfriesshire, whom Douglas inserts in his pedigree as the son of Adam Carlyle and the father of Sir William,

was the son, or heritable successor, of Sapientia and her husband. William Carlyle had resented William Ros's intrusion into his manor of Cargou, and promptly dispossessed him. Ros appealed to King Edward I. then at Glasgow, who issued orders to imprison Carlyle and levy the costs on his goods. The Sheriff reported he could not execute the writ, and the sequel is not recorded.[1] William Carlyle, however, appears on record before 1301. Before the assumption by Robert Bruce of the crown of Scotland, he, like many other Scottish lairds, is found acting on the English side. In 1297 he had a safe-conduct to go into Scotland, and was then and in 1298 in the service of King Edward. In January 1304, before which date he had attained the honour of knighthood, he was acting under the orders of John Botecourte, Justiciar of Galloway and Annandale, and was retained, with two knights under him, to join in a proposed foray against the patriotic Scots.[2]

Between 1304 and 1306 Sir William received from Robert Earl of Carrick and Lord of Annandale, afterwards King Robert, an addition to his estate of Kynemund or Kinmount, the new portion forming part of the common pasture of the neighbouring holding of Newbie, nearer the town of Annan. The boundaries are stated, but are not now readily identified.[3] About the same time Sir William Heriz or Herries granted to him and his wife two fishings, the one called 'Clutesker' and the other named 'Baysenette';[4] with an acre of land and a saltpan in Rainpatrick; which fishings and saltpan were to remain with Sir William Carlyle's heirs and assignees, even if he and his wife were to die without heirs of their bodies.[5] Some time between August 1307 and March 1311-12, he had become one of the

brother-in-law of King Robert Bruce. But no evidence has been found to connect Gilbert with the main stem. His seal is described as bearing a lion rampant, and a legend 'S. Gilb de Karliolo (*Cal. Docs. Scot.*, ii. No. 810 p. 531, No. 1481). In 1331 a payment of £10 is paid to the heirs of the late Gilbert de Carliolo, from the burgh of Kirkcudbright (*Exch. Rolls*, i. 356). Another writer suggests that the line came through an Ivo Carlyle who had a son William and a grandson John (*The Patrician*, iii. 564), but this seems inadmissible. (Cf. *Cal. Docs. Scot.*, ii. No. 397, February 1289-90.) [1] *Cal. Docs. Scot.*, ii. No. 1216. [2] *Ibid.*, Nos. 989, 1437; *Rotuli Scotia*, i. 48a. [3] *Fifteenth Rep. Hist. MSS. Com.*, App. viii. No. 71. [4] Clutesker or Cloutscar is not far from Annanmouth, and on the estate of Newbie. 'Baysenette' may be 'Rasnet.' [5] *Fifteenth Rep. Hist. MSS. Com.*, Nos. 72, 73.

sureties on behalf of David, Earl of Atholl, to repay 5000 marks to Sir Ralph Monthermer (*see* vol. i. of this work, p. 428), and at the last-named date King Edward II. ordered the money which was still due to be paid.[1] In July 1317 he had finally joined the Scots, and his lands in England with those of his wife were all declared to be forfeited, and were given to William de Montacute and his wife.[2] He was apparently still alive about 1325, when William, his eldest son and heir, received a grant of the lands of Coulyn and Roucan. About the same date he and his wife received from King Robert the lands of Crunzeantoun, Minnigap, and others, now in Johnstone parish.[3] He was dead before March 1329, as appears from a charter cited below.

His wife was Margaret Brus, daughter of Robert Brus, first Earl of Carrick, and sister of King Robert. She is specially described in the charters by Sir William Herries already cited.

Their issue, so far as known, were:—

1. William, who is first referred to about 1325 as son and heir of Sir William Carlyle, and as the King's sister's son. He succeeded his father before March 1329. He and his brother may have divided the estate between them, as in a writ about that date by Sir Thomas Randolph he is styled Laird of Luce, and received licence to make a park and enclosure for game at his place of Luce, near Hoddom.[4] He also held Locharwood, lands in the burgh of Annan, and others, with the Mains of Kirkconnell.[5] He died before 24 July 1347, when a jury found that his nephew was his heir.
2. *John*, who in March 1329 is described as son of the late Sir William Carlyle, and had a permission from Sir Thomas Randolph, Lord of Annandale, to enclose a park at Kinmount for his exclusive hunting.[6] Nothing is known of his history, though he is said to have been at the battle of Halidon Hill,[7] but he was dead before 24 July 1347, leaving a son:—

   (1) William, who succeeded.

[1] *Cal. Docs. Scot.*, iii. Nos. 5, 200. [2] *Ibid.*, Nos. 561, 567, 581, 617. [3] Robertson's *Index*, 13, Nos. 84, 85. [4] *Fifteenth Rep. Hist. MSS. Com.*, App. viii. No. 76. [5] *Cal. Docs. Scot.*, iii. No. 1499. [6] *Fifteenth Rep. Hist. MSS. Com.*, App. vii. No. 77. [7] Hailes, *Annals*, iii. 88.

WILLIAM OF CARLYLE, the son of John, succeeded in 1347 to the estates of his uncle William, then deceased, who is also described as son and heir of the late Sir William Carlyle.[1] The younger William was also son and heir of his own father John Carlyle, and all the possessions of the family appear to have become united in him. He was of age in 1347, and was allowed to receive his estates peacefully so far as regarded the English domination of Dumfriesshire, as neither he nor his uncle had done anything against the English. His later history is obscure, but he was probably father of

SIR JOHN CARLYLE, who is first named in 1398, as one of the conservators of a truce with England.[2] He was one of an assize which on 2 June 1428 gave a verdict as to claims to lands at Pencaitland between Sir Herbert Maxwell, Lord of Carlaverock and John Sinclair, Lord of Herdmanston.[3] He was still alive in March 1432-33,[4] but may not have long survived that date. He had issue at least one son:—

WILLIAM CARLYLE, designed of Torthorwald. He is named as son and heir of Sir John Carlyle in a safe-conduct of date 3 November 1413, when he passed into England as one of several hostages for payment of a debt due by the Countess of Douglas to an English knight.[5] In March 1432-33, while his father was still alive, he as William Carlyle of Torthorwald entered into an agreement with Sir Thomas Kirkpatrick of Killosbern or Closeburn to marry William's son John to Elizabeth, daughter of Sir Thomas. The dowry paid by Sir Thomas was to be 400 merks. John and Elizabeth were to be 'handfast' according to usage 'in haly kirk' at the interchange of the agreements, and to be married in church as soon as lawful thereafter. The couple must have been somewhat juvenile, as the agreement provides that 'a sufficient scoler' was to be retained 'to tech the said Jone sic thingis as . . . ar sene mast spedefull and profitabill to tech him and hald him tharat.' William Carlyle promised that on the death of his father

[1] *Cal. Docs. Scot.*, iii. No. 1499. [2] *Ibid.*, iv. No. 512. [3] *Book of Carlaverock*, ii. 429. [4] *Fifteenth Rep. Hist. MSS. Com.*, App. viii. No. 81. [5] *Rotuli Scotiæ*, ii. 208; cf. vol. i. of this work, 235.

Sir John, he would provide the young couple with twenty merks' worth of land in a favourable part. The agreement was sealed at Dumfries 8 March 1432-33.[1] Three years later he agreed to exchange all the lands of Kirkpatrick in Annandale belonging to him through his late wife Elizabeth Kirkpatrick with Thomas Graham of Auchincass for half the lands of Rowcan, in the barony of Torthorwald, belonging to Graham through his late wife Jonet Kirkpatrick, Carlyle paying also as compensation one hundred merks Scots. This writ was also dated at Dumfries 2 September 1436,[2] after William's return from France, whither he went in the train of the Princess Margaret, who was married to the Dauphin, afterward Louis XI., 24 June 1436.[3]

In 1443 he is styled Lord of Kinmount and Torthorwald, when he obtained a mortgage over the lands of Limekilns in Dumfriesshire belonging to John Corbet of Hardgray, and these lands were in 1452 resigned by Corbet in favour of Carlyle who had a royal charter to himself and his heirs 25 April 1452.[4] In 1445 William Carlyle had a dispute with Herbert, Lord Maxwell and his son Robert, as to the possession of a fishing between Cummertrees and Lochar. The hearing came before the Lords Auditors of Parliament, who decided that Carlyle should remain in possession of the fishing, according to the tenor of the charter to him by William de Broyss, while if Maxwell asserts he has any right he may pursue it according to law.[5] The charter in question must have been that referred to in the notice of Adam Carlyle (*cf*. pp. 374, 375 *supra*) granted to him by William Brus, who died in 1215. In 1457 William Carlyle of Torthorwald was adjudged to be fined for some reason, and paid £3, 12s.[6] William Carlyle died before 10 November 1463, on which date Mary (of Gueldres), Queen of Scotland, acting for her son Alexander, Duke of Albany, issued a precept for infefting Sir John Carlyle in certain lands on his father's death.[7] He married Elizabeth Kirkpatrick, who died before 1436. Her parentage has not been definitely ascertained, but as it was through her he obtained

[1] *Fifteenth Rep. Hist. MSS. Com.*, App. viii. No. 81. [2] *Ibid.*, No. 82. [3] Fordun à Goodall, ii. 485; *Scottish Kings*, 191. [4] *Fifteenth Rep. Hist. MSS. Com.*, Nos. 83, 85, 86. [5] *Ibid.*, No. 84. The charter of fishing was not made *to* William Carlyle, but it was his property. [6] *Exch. Rolls*, vi. 166. [7] *Fifteenth Rep. Hist. MSS. Com.*, App. viii. No. 87.

the lands of Kirkpatrick, it is probable she was a daughter of Sir Duncan of Kirkpatrick, lord of that Ilk, who on 10 August 1398 had, on his own resignation, a charter to himself and Isabel his wife of the barony of Torthorwald, from King Robert III.[1] The barony was to be held to them and the heirs of their bodies, whom failing, to the nearest and lawful heirs of Duncan whomsoever, a destination which suggests they had no sons. Sir Duncan died before 4 June 1425,[2] after which date William Carlyle is styled of Torthorwald. Elizabeth Kirkpatrick had, as already stated, a sister Jonet, who married Thomas Grahame of Auchincass, and was also dead in 1436.[3] Jonet had a third of Kirkpatrick,[4] and the third co-heiress thus indicated was Isobella, daughter of Sir Duncan Kirkpatrick, married about 14 November 1412 to Gilbert Grierson, younger of Lag.[5] William Carlyle by his wife had issue:—

1. JOHN, who succeeded.
2. *Adam*, described by John, Lord Carlyle, in his will as 'brother-german.' He was alive on 30 January 1486-87,[6] but died before November 1500. He had issue:—

Adam, referred to in his uncle's will in November 1500, and by his cousin, Elizabeth Carlyle, in 1516. He had a charter of Brydekirk from his uncle John, Lord Carlyle, as 'Adam Carlile, son natural to Adam Carlile his brother,' on 7 May 1499.[7] It was apparently he who, under Papal dispensation, 17 February 1502, married Ellen, daughter of Simon Carruthers of Mouswald.[8] He was the ancestor of the family of Carlyle of Brydekirk, of which the last known surviving male descendant was the Rev. Alexander Carlyle, D.D., minister of Inveresk, who died without male issue, 25 August 1805. The Carlyles of Limekilns were probably derived from this family.[9]

I. SIR JOHN CARLYLE is first named in the agreement already cited, made for his marriage with Elizabeth Kirkpatrick, daughter of Sir Thomas Kirkpatrick of Closeburn, by his wife Margaret, in 1433, when he must have been very young. It is probably he who, as John of Carlyle,

[1] *Fifteenth Rep. Hist. MSS. Com.*, App. viii. No. 101. [2] *Reg. Mag. Sig.*, 24 June 1425. [3] *Hist. MSS. Com.*, *ut supra*, No. 82. [4] *Exch. Rolls*, vi. 169. [5] Original Instrument, Gen. Reg. Ho., No. 232. [6] *Hist. MSS. Com.*, *ut supra*, App. viii. Nos. 87, 97. [7] *Acts and Decreets*, cccxxx. f. 279; titles produced by Adam Carlyle in 1619. [8] Pedigree in Lyon Office. [9] On 24 November 1559 Adam Carlyle, son of Alexander Carlyle of Brydekirk, had a charter of Lymekilns from Michael, Lord Carlyle (*Acts and Decreets*).

squire, is a witness, in 1443, to a sasine given to his father of the lands of Limekilns.[1] In 1449, he had a sasine of the lands of Torthorwald.[2] He was knighted in that or the following year, as he is described as Sir John Carlyle before 1450,[3] and he was then in some post about the Court, as from that time fees are paid to him with other emoluments, including cloth, furs, gowns for himself and his wife, and other necessaries. In 1452 he is styled Sir John Carlyle of Luce, as his father was still alive. He received numerous grants of wardships and of rents from the Crown between 1455 and 1459. In 1458 he was employed in transporting artillery to Threave Castle in Galloway, of which he was or became keeper. He was also keeper of Lochmaben Castle for a time. He held the office of Master of the Queen's Stable, and acted as Justiciary in Annandale for the young Duke of Albany, not yet of age.[4]

In 1463, he was infeft, as heir of his father in part of Middlebie,[5] in Luce, Kinmount, Locharwood, and other lands, not in Torthorwald, as he was already fiar of that barony. Some time between October 1473 and July 1474[6] he was created a Lord of Parliament as LORD CARLYLE OF TORTHORWALD. An old inventory of 1686 styles him John, Lord Torthorwald, in a writ of 3 December 1473. This date may be correct, though he was still Sir John Carlyle on 12 October 1473.[7] But the writ referred to is of interest on other grounds, being described as a charter under the Great Seal, erecting the town of Torthorwald into a free burgh or barony, to be called the 'town of Cairleill' or Carlyle, giving the inhabitants power to buy and sell in the burgh, and 'to have baxters, brousters, fleshers, and workmen of all airts and trades . . . and to have ane cross and mercat day ilk week and oppen fairs ilk year.'[8] The new Peer seems to have done his best to perpetuate his family name, as his castle of Torthorwald thereafter appears in writs as the castle of Carlyle, and he also

[1] *Fifteenth Rep. Hist. MSS. Com.*, App. viii. No. 83. [2] *Exch. Rolls*, ix. 661. [3] *Ibid.*, v. 383. [4] Cf. *Exch. Rolls*, vi. vii., where frequent reference is made to him. [5] *Hist. MSS. Com. Rep.*, *ut cit.*, No. 87. [6] *Exch. Rolls*, viii. 216 *et seq.* [7] *Reg. Mag. Sig.* [8] *Hist. MSS. Com. Rep.*, *ut cit.*, No. 88. Crawford, who apparently saw this writ, refers to it as granted to *John, Lord Carlyle*, and accepts it as indicating date of creation. (*Peerage*, *sub* Carlyle.)

describes the parish church of Torthorwald as the church of Carlyle.[1]

Lord Carlyle continued his public activity. He was a constant attender of Parliament, and gave his services abroad as well as at home. He was in France on some mission in 1473 or 1474, and engaged in business or negotiations there and in Denmark about the same time.[2] His services abroad and 'his frequent expenses and great labours to the danger of his person at sundry times in the King's affairs outside the realm, with the King of France and elsewhere,' were rewarded in 1477, on the majority of James III., by a grant of the lands of Drumcoll or Drumcow, co. Dumfries, forfeited by Sir Alexander Boyd.[3] Other grants of Crown rents to a considerable extent were bestowed upon him, and various charters were made in his favour, among others a formal ratification of the grant of Drumcoll by Parliament on 11 April 1481.[4] He soon afterwards had a dispute with a neighbour, Jasper Newlands of that ilk, whom he charged with disturbing him in possession of his mill of Drumcow by drawing water away from the mill-lade. On 30 January 1481-82, the case was tried before the Sheriff and a jury, who decided entirely in favour of Lord Carlyle, and ordered Newlands to cease from all further vexation.[5] In January 1486-87, he seems to have completed titles to a large number of lands, an enumeration of which may show the extent of his possessions. He was then infeft in the lands of Kinmount with mill, Locharwood with mill, Dornok with mill and advowson of the church, Middlebie with the same, Kirkconnell with the same, Luce with the same, Annan with fishing, Kirkpatrick with mill, Brumell, Marjorybank, Oulcotis, Ecclefechan, Ryhill, Cummertrees, Torduff, Bengall, Dalibank, Brydekirk, and Lochmaben, all resigned by him, and united with the barony of Carlyle by charter. He had also at same time a charter of that barony.[6]

Lord Carlyle disappears almost entirely from record, and probably also from public life, after the accession of King James IV., and little appears on record regarding him until

[1] *Fifteenth Rep. Hist. MSS. Com.*, App. viii. Nos. 87, 97. [2] *Exch. Rolls*, viii. 254, 293. [3] *Reg. Mag. Sig.*, 31 October 1477. [4] *Exch. Rolls*, viii. per Index; *Hist. MSS. Com. Rep.*, *ut cit.*, Nos. 89, 95. [5] *Ibid.*, No. 96. [6] *Ibid.*, Nos. 87, 91.

the date of his will, made at the 'Castle of Carlile situated in Scotland,' as the notary has it, 12 November 1500. The document is not lengthy. His body is to be buried in the parish church of Carlile, in the barony of Carlile, and he leaves four pennies of his goods to the fabric of St. Mungo's Church, Glasgow. He acknowledges that he has eight plowing oxen, and £100 in silver and gold, which he has bequeathed to maintain two aisles in the parish church of Carlile (Torthorwald), founded by him. He also owned to having six tassies or cups of silver, which were to remain as heirlooms 'for the honour and reputation of the manor-place and castle of Carlile.' He would say nothing of further intention, but referred to forty pounds to be spent on his burial. His executors were Sir William Carlyle, his grandson, Mr. James Carlyle, his son lawful and natural, prebendary of Kirpatrick-cro (Irongray), Thomas MacClelan of Bomby, Robert Carlyle of Pittenain, his son natural, and Adam Carlyle, son of Adam Carlyle, his late brother-german.[1] Lord Carlyle refers to himself as sound in mind, though somewhat sick in body, and he did not die for some weeks later. He wound up his affairs, resigned his barony and other lands into the hands of the King, who granted them to Sir William Carlyle, his heir, on 12 January 1500-1,[2] while the resigner was still alive. But he was dead before 3 March 1500-1, as he is described as the late Lord Carlyle in a writ of that day, confirmed some years later.[3]

The first Lord Carlyle was apparently married three times. As already stated, he was contracted in March 1432-33, to Elizabeth, daughter of Sir Thoma sKirkpatrick of Closeburn, and it is probable she was his first wife. Before 1476, and onwards to 1484, a Janet, Lady Carlyle, appears as his spouse,[4] but her surname is nowhere recorded. Before February 1492-93, he married a Margaret Douglas, widow of Herbert Maxwell, and mother of Edward Maxwell of Tinwald.[5] She survived him, and was living 22 December 1509. Lord Carlyle had issue:—

[1] *Hist. MSS. Com. Rep., ut cit.*, No. 97. [2] *Reg. Mag. Sig.* [3] *Ibid.*, 25 August 1504. [4] *Acta Auditorum*, 50; *Acta Dom. Conc.*, 102*. [5] *Reg. Mag. Sig.*, 24 Dec. 1509.

1. *John*, who died before 1477, but of whom no record has been found. He had issue:—

    (1) William, who succeeded as second Lord.
    (2) *Robert*, who is named twice in his grandfather's will, already cited, as brother of William, and grandson of Lord Carlyle.
    (3) *Eufamia*, described in 1485 as sister-german of William Carlyle, who was at least contracted in marriage with consent of her grandfather and brother to the Sir Simon Carruthers of Mouswald, who died before March 1512, but the marriage was apparently not completed.[1]

2. *Mr. James*, who became rector of Kirkpatrick-cro, or Kirkpatrick-Irongray, and is styled by Lord Carlyle, in his testament, his lawful and natural son.
3. *John*, named in a charter to Margaret Douglas his mother by her son, Edward Maxwell of Tinwald, of the lands of Blairboy, co. Wigtown, which were to pass to John Carlyle after her death.[2]
4. *George*, also named in a charter by Edward Maxwell of the lands of Mowe and Shielhauch, co. Wigtown, to Margaret Douglas, his mother, in liferent, and to George Carlyle in fee.[3]
5. *Mariota*, married to Herbert Herries of Terregles and had issue.[4]
6. ——, a daughter, married, some time before 1488, to Sir Adam Murray of Duncrieff.[5]

John, Lord Carlyle, had also a natural son, *Robert*, described as such in his father's will, and also in a grant to him by his father of the lands of Pittenain, 6 February 1483-84.[6] He acted as his father's lieutenant in the castle of Threave. He died before 1 December 1508, having married Margaret Weir,[7] who survived him, apparently without issue.

II. William, second Lord Carlyle, is first named in a charter of date 19 October 1477, when he was still under age, and his ward and marriage were granted to Lord Carlyle, his grandfather.[8] He was knighted on 29 January 1487-88, when James, the second son of that name of King

[1] *Fifteenth Rep. Hist. MSS. Com.*, App. viii. No. 116; cf. also *Acta Dom. Conc.*, MS. xiii. f. 13. [2] *Reg. Mag. Sig.*, 24 Dec. 1509. [3] *Ibid.* [4] *Ibid.*, 1 June 1486; Herries Peerage Evidence, 301. [5] *Acta Dom. Conc.*, MS. xvi. f. 171. [6] Annandale Peerage Case Minutes (1876), 117. [7] *Reg. Mag. Sig.*, at date. [8] *Ibid.*

James III., was created by his father Duke of Ross.[1] Later, he was styled of Locharwood, during his grandfather's lifetime.[2] He succeeded his grandfather as second Lord Carlyle, probably in February 1500-1, as soon after that date he paid part of the sum charged for the charter to him of the barony of Carlyle,[3] and some time later he was still due money to the King.[4] On 15 February 1502-3, the Lords of Council, the King himself being present, transferred to him as his grandfather's heir and executor, a debt of 400 merks due from Simon Carruthers, and two other sums also due to the late lord. In January 1515, he figures in a transaction which seems to show he was trusted by his neighbours. Robert Corsby, Laird of Ulcottis, stated to a notary that he intended going to England, and had arranged that the sum of money due by William, Lord Carlyle, for the purchase of Ulcottis, should remain in the buyer's hand till the seller's return, with all money similarly due by Carlyle, who also agreed that if Corsby died on the journey, his wife would be paid according to the contract betwixt him and Carlyle.[5]

William, Lord Carlyle, appears only occasionally in the public records, and probably did not take a very active part in affairs. The latest mention of him seems to be in an act of the Lords of Council on 28 January 1523-24. He had raised an action against the vicar of Pittenain and certain jurors because the latter had returned a wrong and contradictory verdict as to the vicar's possession of certain lands. The Lords therefore quashed the verdict, Lord Carlyle being present in Court.[6] He died before 28 May 1525, as on that date his eldest son, James, had sasine of the barony of Carlyle.[7] William, Lord Carlyle, married Janet, daughter of John, Master of Maxwell, usually styled third Lord Maxwell. He had a charter from his grandfather on 12 July 1487 to him and his wife of the lands of Locharwood and Middlebie.[8] By her he had issue:—

1. JAMES, third Lord Carlyle.
2. MICHAEL, fourth Lord Carlyle.

[1] Robertson's *Records of Parliament*, 325. [2] Protocol Book of James Young, Canongate, 9 Feb. 1492-93. [3] *Accounts of Lord High Treasurer*, ii. 9. [4] *Ibid.*, 157. [5] 25 January 1514-15, *Fifteenth Rep. Hist. MSS. Com.*, App. viii. No. 98. [6] See Annandale Peerage Minutes (1876), 132, 133. [7] *Exch. Rolls*, xv. 632. [8] *Reg. Mag. Sig.*, 10 Oct. 1487.

3. *Catherine*, married to Simon Carruthers of Mouswald some time before 8 July 1516,[1] and had issue.
4. *Elizabeth*, still unmarried in December 1516, as appears from a bond to her father, who had provided her liberally in certain lands and others, including fishing of 'sex culpis' in Brewin Skar, parish of Cummertrees, which she promised to resign on her marriage and receipt of a dowry of 400 merks.[2]

III. JAMES, third Lord Carlyle, has scarcely any place in history, and he held his lordship only about a year, as he received sasine on 28 May 1525, and was dead before 16 June 1526, when he is referred to as late tenant of certain Crown lands.[3] He married Janet, daughter of Sir James Scrimgeour of Dudhope, but had no issue. She survived him, and on 24 December 1529 had a special grant of half of his lands, as he had resigned them in favour of her and himself in conjunct fee, but died before receiving sasine.[4] He was succeeded by his brother:—

IV. MICHAEL, fourth Lord Carlyle, who succeeded in 1526, but only received a Crown charter of the lands and barony on 27 December 1529.[5] Not much is recorded of him. In November 1544 he disturbed his sister-in-law in her possession of her share of the lands, and despoiled her of the use of grain and cattle for a year, besides carrying off a large quantity of household goods.[6] He seems to have taken the English side in the war between England and Scotland, and was accused of giving treasonable assistance to England, and surrendering his house at Torthorwald to the enemy. Archbishop Hamilton procured a remission for him, in return for which he paid 1800 merks, and contracted his son to the archbishop's grandniece, Jean Johnstone.[7] In September 1567 he was cited before the Privy Council with various neighbouring landowners to answer for disorders within their bounds, and appeared in the following month and renounced all bonds made with the Marian faction, acknowledging the infant King's coronation and government.[8] In 1573 he granted a charter to Michael,

[1] *Reg. Mag. Sig.*; *Fifteenth Rep. Hist. MSS. Com.*, App. viii. No. 122.
[2] *Ibid.*, No. 90. [3] *Exch. Rolls*, xv. 575, 632. [4] *Reg. Mag. Sig.* [5] *Ibid.*
[6] *Ibid.*, 18 March 1546-47. [7] Annandale Peerage Evidence (1876), 45. [8] *P. C. Register*, i. 570, 580.

his third, but then eldest surviving son, of the lands and barony of Carlyle, which was afterwards set aside in favour of his granddaughter, Elizabeth Carlyle. He died in June 1575, being slain, it would appear, by English marauders.[1]

Michael, Lord Carlyle, married, first, Janet Charteris[2] (of what family has not been ascertained), and secondly, Mariota Maxwell.[3]

By his wives he had issue:—

1. ——, a son, whose name is not recorded, but who between 1547 and 1551 either died or was set aside for some defect, as his younger brother was in March 1546-47 called in an action along with their father.
2. *William*, Master of Carlyle, who is first described as 'son' of Lord Carlyle in a charter to him by his father on 5 January 1546-47, granting to him the lands of Pettinain.[4] In a charter of 18 March 1547-48, he is referred to as the second son of his father,[5] but in his marriage-contract, 1551, he is styled eldest son and apparent heir. He predeceased his father, dying before or about 1572. He married (contract dated 1 August 1551, already referred to) Jean, daughter of James Johnstone, younger of Johnstone, and of Margaret Hamilton (*see* vol. i. of this work, p. 248), who survived him, and married, secondly, as his second wife, Alexander Abernethy, sixth Lord Saltoun, and thirdly, between 1587 and 1589, William Kerr, brother of Mark Kerr, Lord Newbattle, who in 1593 interdicted her for extravagance.[6] She died in 1608.[7] The Master had issue one daughter:—

   Elizabeth, of whom hereafter.

3. *Michael*, who had a long legal battle with his niece for the estates and dignity of Carlyle, but was unsuccessful. He had a grant of the lands of Locharthur on 6 March 1580-81 from John, Lord Maxwell, whose daughter Grizel he married, and to whom

[1] Annandale Peerage Evidence (1876), 120; *P. C. Register*, iii. 78, 80; Edinr. Tests., 27 January 1577-78. [2] Annandale Peerage Evidence, 45. [3] Cf. *Reg. Mag. Sig.*, 4 March 1580-81. She was apparently still alive in January 1609 as 'old Lady Torthorrell.' [*P. C. Register*, viii. 217]. [4] Annandale Peerage Evidence (1876), 122. [5] *Reg. Mag. Sig.*, at date. [6] *Herald and Genealogist*, vii. 410, where William Kerr is wrongly designed; *Edinburgh Inhibitions*, vi. f. 133. [7] *Gen. Reg. of Inhib.*, 27 May 1618.

he seems to have sold a great part of the outlying estates of the barony of Carlyle, excepting the lands and castle of Torthorwald.[1] He died before 26 September 1585.[2] His wife survived him, and she and their eldest son, John Carlyle, had a tack of teinds on 22 September 1597 and 12 April 1605.[3] He was the ancestor of the Carlyles of Locharthur, of whom William, the great-great-grandson of Michael, fourth Lord Carlyle, died in 1751 *s. p.*, leaving a disposition of his estate to his own heirs, whom failing, to his own only brother Michael, whom failing, to his heir-male who could establish his right as nearest heir-male to Michael, Lord Carlyle. Michael, William's brother, died in 1763 also without issue, and in 1770 the House of Lords, affirming the previous decisions of the Court of Session, declared that the primary right to the title of Carlyle lay with George Carlyle and other descendants of Michael's younger brother John.

4. *John*, who had a charter 24 March 1573 from his father, Michael, Lord Carlyle, of the lands of Boytath. He was succeeded by

James Carlyle, second of Boytath, who was served heir to his father January 1624,[4] and died in 1634. He married Margaret, daughter of William Carlyle of Brackenquhat, and had issue:—

(1) *James*, who succeeded.

(2) *Mary*, married, at Dumfries, 10 April 1658, to Herbert Cunningham, Writer.

James Carlyle, third of Boytath, was served heir to his grandfather 18 June 1635.[5] He married, first (contract 21 April 1645), Janet, daughter of John Carruthers of Holmains; secondly, Marion, daughter of Johnstone of Elchieshields. He had issue:—

i. *Thomas*, eldest son of first marriage, who was of Boytath in 1673. He married Margaret, second daughter of Mr. John Menzies of Hangingshaw, and had issue:—

(i) *James*, a trooper in the Scots Greys, died in 1774 *s. p.*

(ii) *William*, killed at Dettingen, 1743, probably without issue male.

(iii) *Agnes*.

ii. *George*, second son of first marriage, merchant

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[1] *Reg. Mag. Sig.*, 7 March 1580-81. [2] *Reg. Sec. Sig.*, liii. f. 47. [3] *Ibid.*, lxxiv. f. 204 [4] Retours Dumfriesshire No. 392. [5] *Ibid.*, No. 158.

in Dumfries, died 1692. He married Elizabeth Nisbet and had issue, with a daughter *Margaret*, two sons:—

(i) *James*, who died *s. p.*

(ii) *Thomas*, who left Scotland and went to Travalah, co. Denbigh, Wales. He had issue, with four daughters, two sons:—

a. George, who was the successful litigant in 1770, and declared by the House of Lords to have the nearest right to the title of Carlyle. He died *s. p.*

b. Joseph.

iii. *Patrick*, eldest son of second marriage of James Carlyle of Boytath. He was a merchant traveller in England, and married Isabel Carruthers. He had issue, with three daughters, a son:—

(i) *James.*

iv. *Alexander* of Robiequhat or Searigs, who had no issue. He is referred to, with his brothers Thomas and George, in 1683 and 1688.[1]

v. *Robert*, who married —— Wright, and had issue:—

(i) James, merchant in Dumfries; died *s. p.* in 1741.

(ii) *Alexander.*

vi. *Samuel*, died *s. p.*

vii. *James*, died *s. p.*

viii. *Agnes*, married to James Veitch, merchant, Dumfries.

ix. *Elizabeth*, married to John Thomson, merchant Dumfries.[2]

5. *Peter*,[3] fifth son of Michael, fourth Lord Carlyle, named in a charter by his father to his brother Michael on 24 March 1573-74.[4]

6. *Esota*, daughter by Janet Charteris, married about 1550 to Arthur Graham of Blawatwood, having as her dowry the lands of Torduff, and had issue.[5]

Elizabeth Carlyle was still a minor when she was retoured heir to Michael, Lord Carlyle, her grandfather, on 11 July 1579. She was declared to be his heir in the lands and barony of Carlyle (or Torthorwald) with castle,

[1] Papers in Lag Charter-Chest. [2] The above particulars mainly from pedigree in Lyon Office. [3] Another son, *Edward*, has been assigned to Michael, Lord Carlyle, and claimed as the ancestor of the family of Limekilns, but no evidence of him has been found. The Limekilns family seem to have been cadets of Brydekirk; cf. p. 382 *ante*. [4] *Reg. Mag. Sig.*, 4 March 1580-81. [5] *Ibid.*, 4 December 1617.

and the lands of Kinmont and many others in the shire of Dumfries,[1] but she was not infeft in her estates until May 1587.[2] It was apparently in the interval that the litigation about the estates took place between her and her uncle Michael, when the barony of Carlyle was ultimately adjudged to belong to her. Some time before 11 August 1587 she married Sir James Douglas of Parkhead,[3] son of Sir George Douglas of Parkhead, who was a natural brother of the Regent Morton. It has been said that he did not assume the title, as he always appears in official records as Sir James Douglas of Torthorwald.[4] He was, however, cited by the Privy Council as James, Lord Carlyle, in 1606, for the purposes of the Decreet of Ranking on 6 March of that year, and he was accepted as Lord Carlyle, in terms of certain productions.[5] At that date also he is styled Lord Torthorwald in a Crown charter, and in the references to his death he is invariably styled Lord Torthorwald.[6] The Lord and Lady of Torthorwald seem to have had little possession of their own lands. In 1592, John Carlyle, son of Michael Carlyle, was infeft in the lands as heir of his father.[7] Between 1593 and 1606 they were granted to George Douglas, a brother of Sir James, and to William Cunningham in Dolphinton, on the plea that they were in the King's hands because of improper alienation, and the lands of Pettinain were bestowed on Alexander, son of the Master of Elphinstone. Sir James Douglas is prominent in Scottish history chiefly as the assassin of 'James, Lord Stewart of Newton,' better known as the Earl of Arran, who had been the accuser of the Regent Morton, and who for some years practically ruled Scotland till his overthrow in 1585. Since then he had lived in obscurity, but on 1 December 1596, he was met on a lonely road in Lanarkshire by Sir James Douglas, who killed him and contemptuously left his body lying by the wayside, thus

1 Annandale Peerage Evidence (1876), 119, 120. 2 *Exch. Rolls*, xxi. 588. 3 He is described as James Douglas of Torthorwald in a precept of that date by Archibald, Earl of Angus (*Laing Charters*, No. 1150). 4 In 1592, in *The Present State of the Nobility in Scotland*, he is said to have married the heiress of Carlyle, and to have 'the living but not the honours' (case of William Constable Maxwell, Herries Peerage, App. 18). 5 See Decreet of Ranking, etc., Herries Peerage Evidence, 162-165, 174. 6 *Reg. Mag. Sig.*, 5 March 1606; *P. C. Reg.*, viii. 129 *n*. 7 Retours, Dumfriesshire, No. 377; *Exch. Rolls*, xxii. 468.

revenging Arran's treatment of the Regent Morton.[1] A blood feud ensued with the Stewarts of Ochiltree, the family of the murdered man, and though the Privy Council took measures from time to time to prevent bloodshed between the parties, Lord Torthorwald, as he is styled, fell a victim to vengeance. On 14 July 1608 he was, early in the morning, standing near the Cross of Edinburgh, alone, when Captain William Stewart, a nephew of Arran, suddenly stabbed him in the back, and he died almost immediately.[2]

His wife survived him, and when her eldest son James had a charter of his lands and lordship in April 1609, she had a separate grant of her liferent right.[3] On 13 July 1612 as Lady of Carlyle she granted the lands of Stank, co. Dumfries, to James Johnston of Westerhall, and was able to write her own signature.[4] Between 1613 and March 1615, she was married to William Sinclair of Blans in East Lothian.[5] In June 1624 she is referred to as a 'rebel' against the King, having probably been 'put to the horn' for debt. Her person was attached and the Sheriff-depute of Dumfries was conveying her to prison, when some zealous friends attacked the party, 'reaving' the lady out of the Sheriff's hands not without bloodshed.[6] She was apparently still alive on 8 May 1642.[7] She and her first husband had issue:—

1. JAMES, who became Lord Torthorwald.
2. *Archibald*, who is named along with his brother James in the proceedings of the Privy Council after their father's death, and also in a decreet of improbation by Sir Robert Douglas (afterwards of Spott) against Lord Sanquhar, and Archibald, John, and George Douglas, brothers of James, Lord Torthorwald, and the tenants and vassals of the barony of Torthorwald, 18 June 1619,[8] but of whom nothing further is known.
3. *John*.
4. *George*, named with their brother Archibald in the above decreet.

JAMES DOUGLAS, Lord Torthorwald, had the title and sat in the Parliament of 1612 as a baron, whatever his father

[1] *P. C. Reg.*, v. 360. [2] *Ibid.*, viii. 129. [3] *Reg. Mag. Sig.*, 6 April 1609. [4] *Laing Charters*, No. 1648. [5] *Acts and Decreets*, cccxxx. f. 279*b*. [6] *P. C. Reg.*, xiii. 532. [7] *Reg. Mag. Sig.* [8] *Acts and Decreets*, cccxxx. f. 271*b*.

did. He succeeded on 14 July 1608, and is at once styled Lord Torthorwald.[1] On 6 April 1609 he had a charter of the lands and barony of Carlyle, resigned by William Cunningham in Dolphinton.[2] He had not long had possession when he began to grant annualrents and otherwise dissipate his estate, and he was under interdict before 11 September 1617, though apparently his interdictors could not altogether arrest his unhappy progress.[3] A few years later he sold or mortgaged all his lands, including Torthorwald, to William Douglas of Drumlanrig, who had a charter of them on 8 January 1622.[4] He is said by Crawford to have also resigned his title of honour to Douglas in 1638, but he has not been discovered in any record after August 1622, and the date of his death has not been ascertained.[5] He married, first, before June 1611,[6] Elizabeth, daughter of Sir Robert Gordon of Lochinvar, and in 1615 he was suing for divorce against her and William Bannatyne, younger of Corehouse, as co-respondent.[7] He married, secondly, November 1618, in the parish church of Ludgate Hill, Anne Saltonstall, of what family is not known. On 8 August 1622, she divorced him for adultery.[8] He had, so far as recorded, no issue by his first wife, but by his second he had one son:—

James, baptized 2 January 1621, but of whom nothing more is known.[9]

CREATION.—July 1473 or 1474.

ARMS.—As given by Nisbet:—Quarterly, 1st and 4th, argent, a cross flory gules, for *Carlisle*; 2nd and 3rd, or, a cross gules, for *Corsbie*; on an escutcheon *surtout* argent a saltire azure.

CREST.—Two dragons' necks and heads addossé vert.

SUPPORTERS.—Two peacocks proper.

MOTTO.—*Humilitate.*

[J. A.]

1 *Acta Parl. Scot.*, iv. 466, 468; cf. *P. C. Reg.*, viii. ix. and x. *passim.* 2 *Reg. Mag. Sig.* 3 *Ibid.*, at date. 4 *Ibid.* 5 The Earl of Nithsdale about 1620 had the title of Lord Carlyle, and Viscount Torthorwald was in 1682 among the Duke of Queensberry's titles. 6 *Gen. Reg. Inhibitions*, 5 May 1619. 7 *Ibid.*, 2nd series, ix. 245. 8 *Edinburgh Commissariot Decreets*, at date. 9 The last Lord Torthorwald is said to have had a son *William* by his first marriage, but of this no evidence has been found.

Carnwath

DALZELL, EARL OF CARNWATH

DALZELL, Dalyell, or Daliel is probably Gaelic, from a word signifying the 'White Dale,' and the surname is of local origin, derived from the parish of that name, the church of which in early times belonged to the Abbey of Paisley. The barony of Dalzell, however, does not appear on record till about 1341, when King David II. granted it to Sir Malcolm Fleming in free warren.[1] Part of it was also held by Sir Robert de la Vale, from whom it was forfeited in 1363.[2] After passing through the hands of various owners, it was granted to Sir George Dalzell in 1397.[3] The first of the surname of Dalzell on record appears to be—

HUGH DE DALZELL OR DALIEL, who was Sheriff of Lanark for the years 1288 to 1290.[4]

THOMAS DE DALIELLE, signed the Ragman Roll of Edward I. on 28 August 1296, at Berwick-on-Tweed, along with John de Baliol and others.[5]

[1] *Spalding Club Misc.*, v. 315. [2] *Ibid.*; *Reg. Mag. Sig.*, folio vol. 25-26. [3] It is curious to notice that on the death of Sir John (*ante* 1437), the barony of Dalzell goes to his third son, in the distribution of the various estates. [4] *Exch. Rolls*, i. 39 and 46; *Cal. of Docs.*, ii. No. 363; *Reg. Episc. Glasguensis*, ii. 620. [5] *Cal. of Docs.*, ii. No. 212.

ROBERT DE DALIEL or DALLIELE appears on the Muster Roll of Berwick Garrison under Lord Robert de Grey, Knight, in 1311-12, and also as one of the Scots men-at-arms under William de Felton, the Constable of Roxburgh Castle in 1340-42.[1]

SIR ROBERT DE DALZELL, Knight, in 1360, paid a sum into the Exchequer for the Upper Ward of the shire of Lanark.[2] He obtained from David II. '*omnes terras nostras de Selkyrk cum pertinentiis exceptis annuis redditibus nostris et firmis nostris de burgo nostro de Selkyrk*,' to him and the lawful heirs-male of his body, on 15 May 1365.[3] He also got from David II. a grant of the Serjeantship of Lanark, on the resignation of Andrew Starheved.[4] The lands of Croykstoune in the county of Peebles were also acquired by him from the same monarch.[5] On 6 March 1368 he was one of the barons elected to the Parliament at Perth,[6] and on the accession of Robert II., he attended the coronation at Scone on 27 March 1371.[7] Sir Robert was in 1379 one of the sureties to King Haquin of Norway, for the good government of the Earl of Orkney, and in the following year was sent to Norway by the latter, and died shortly after his return therefrom.[8] His name occurs as a witness in 1374-84 to a charter by William, Earl of Douglas and Mar, to John of Carmichael of the lands of Over Carmichael.[9]

SIR WILLIAM DE DALZELL of Dalzell, obtained from David II. a fee of five pounds sterling, as Sergeand of Lanark on 13 August 1364.[10] In 1378 he mortified to the Chapel of Mary of Cambuslang an annualrent of six merks sterling out of his farm of East Rutherglen,[11] and in the two following years the mill of Lanark was in his hands *ex dono regis*.[12] He lost an eye at the battle of Otterburn in 1388, and two years later accompanied Sir David Lindsay, afterwards Earl of Crawford, to the famous jousting of Richard II. It was on this occasion that, according to Fordun, Sir William

[1] *Cal. of Docs.*, iii. 394, and No. 1382, p. 252. [2] *Exch. Rolls*, ii. 47. [3] *Reg. Mag. Sig.*, folio vol. 45. [4] Robertson's *Index*, 63, 46. [5] *Ibid.*, 32, 17. [6] *Acta Parl. Scot.*, i. 148. [7] *Ibid.*, i. 181. [8] Torfæus, *Orcades*, 177. [9] *The Douglas Book*, iii. 398. [10] *Reg. Mag. Sig.*, folio vol. 39. [11] *Ibid.*, 8 December 1378. [12] *Exch. Rolls*, iii. 20 and 59.

was the hero of two good tales both related in Wood's *Douglas*. The first was of a ready reply to an English knight, who reflected on the honour of the Scottish ladies, when Dalziel retorted in kind. The other tale runs that a Knight, Sir Peris Corteney by name, having had a falcon embroidered on his sleeve with the motto, 'I beer a falcon fairest of flicht, quha so pinches at hir his deth is dight, in graith.' Dalzell assumed a similar dress, with the badge of a magpie and this device: 'I beer a py pykand at ane pes, quha so pykkis at her, I sal pyk at his nese in faith.' The challenge was understood and accepted, but the affair terminated in a ludicrous demand of Dalzell that, as by the laws of tournament, the champions ought to be perfectly equal, Corteney, of course, should have one of his eyes extinguished before the combat. These two incidents won from King Richard II. the encomium: 'Actibus et verbis miles hic Anglos superans est.'[1] Sir William held a large amount of property; he is designed of Elliok in an excambion, dated 30 April 1388, of the lands of Balybucht and Buchowis between him and Sir James de Douglas of Dalkeith,[2] and also as witness to a charter by David Fleming of Biggar and Lenzie to his son, Sir John Dalzell of the Bracanrig, on 4 May 1400.[3] The list of knights taken or slain at the Battle of Homildon Hill on 14 September 1402 contains the names of 'William Dalyell' and 'William Dalyell Filz,'[4] but on 16 September 1405 he witnessed a writ along with his son Sir John.[5] In 1407 he resigned the lands of Buchrowys and Half-Clunie in favour of David Gardyne.[6] He appears to have succeeded his son George in the lands of Dalzell, being designed *dominus ejusdem* as witness to a charter of Joanna Keith, Lady of Galstoun, to her son, Andrew Hamilton, of the lands of Galstoun, dated 12 December 1406,[7] and also to a partition of the lands of Hullirishedhill, between John Stewart of Darnley and Sir John Ross of Hawkhead, on 14 December 1413.[8] He married, though perhaps as his second wife, Mary, widow of William de Cochrane, who on 25 June 1392,

[1] Fordun's *Scotichronicon*, ii. 422. [2] *Reg. Honoris de Morton*, ii. 163. [3] Confirmation dated 3 June 1400; *Eleventh Rep. Hist. MSS. Com.*, App. vi. 24. [4] *Tenth Rep. Hist. MSS. Com.*, App. vi. 78. [5] *Chart. of Cambuskenneth*, 140. [6] *Reg. Mag. Sig.*, fol. vol. 230, 25 June 1407. [7] *Ibid.*, 228, 10 February 1406-7. [8] *Maxwells of Pollok*, i. 148.

being then Sir William's wife, renounced her terce out of William de Cochrane's lands.[1] He had issue:—

1. *George de Dalzell of Dalzell* had, on 5 June 1397, a grant from Robert III. of the whole lands of Dalzell, formerly held by Sir James Sandilands, the King's brother-in-law, with a destination to him and the heirs-male of his body, whom failing to William of Dalzell, Knight, his father, and his heirs-male.[2] His infeftment therein is ratified by Joanna, relict of Sir James Sandilands, on 15 April 1400.[3] He is stated to have married a granddaughter of Sir James Sandilands mentioned above,[4] and he died *vitâ patris* and *s. p.* before 1400,[5] when the lands of Dalzell passed to his father.
2. Sir John.
3. *William*, who was at Homildon Hill.

Sir John de Dalzell, Knight, a younger son of Sir William. He received on 30 May 1390, as well as on 24 July 1392 and 15 August 1396, letters of safe-conduct to go to England to conduct negotiations.[6] He acquired in 1389 the lands of Botheax, in the barony of Crauford, from Sir James Lindsay of Crauford.[7] In 1392 he obtained from Robert III. a charter of the hospital of Lanark for three masses to be said in St. Leonard's Chapel, to be held by him and his sons, Walter, Adam, and Robert, and the heirs-male of their bodies, in succession,[8] and in 1400 the King granted his whole rights in the hospital, reserved in the earlier charter, in similar terms.[9] In 1392 and 1395 he is mentioned as *custos* of the hospital of Lanark.[10] He

[1] Carta, *penes* Earl of Morton; Macfarlane MSS. in Adv. Lib., 34, 3, 25, p. 42. A note states 'Sir William Dalzell's seal, appended to this charter, has on it a naked man with his arms hanging at some distance from his sides, and his wife, Mary of Dalzell, has her seal parti per pale baron and femme, on the dexter a saltier and in chief a mullet, and on the sinister a naked man, etc., as on her husband's.' This description is curious, but it has been suggested that the seal has been reversed in cutting. [2] *Laing Charters*, No. 83. [3] *Ibid.*, No. 85. [4] Hamilton's *Descriptions of Lanark and Renfrew*, 1710, 45. [5] Carta, *penes* Hamilton of Dalzell, Douglas. [6] Rymer's *Fœdera*, iii. iv. 81; *Cal. of Docs.*, iv. Nos. 412 and 490. [7] Charter of Confirmation, dated 1 December 1389, seen by William, third Duke of Hamilton, and apparently not now extant; *Eleventh Rep. Hist. MSS. Com.*, App. vi. 210. [8] *Reg. Mag. Sig.*, folio vol. 212, 9 November 1392. [9] Robertson's *Index*, 158, 47; *Reg. Mag. Sig.*, 9 February 1451-52. [10] *Exch. Rolls*, iii. 333 and 366.

acquired the lands of Kininmonth, Bouchtains, and Half-Clunie in 1390, or earlier, on the resignation of Alexander Keith,[1] and on 6 May 1400, David Fleming of Biggar and Lenzie granted him the lands of Bracanrig.[2] He died prior to 1437,[3] leaving issue:—

1. *Walter* of Carlowrie, the eldest son of Sir John, received a payment from the Exchequer on 14 July 1422,[4] and was on the inquest in the retour of Walter Scott, as heir to his father in the lands of Elerig on 27 February 1426,[5] and the retour of James of Dundas as heir of his father in the lands of Eckling and others, on 8 November 1430.[6] He is twice named Lord of Carlowrie—first, on 5 June 1424 in a mortification by Thomas Summyrville de Carnwythe to St. Mary's Altar in the Monastery of Saint Machut, of an annualrent from the ten merk land of Manuel;[7] and secondly, in an indenture dated 19 January 1427, between Sir Herbert Maxwell of Caerlaverock, and Sir John Sinclair of Hyrdmanstoun, to which Walter de Dalzell's seal is appended on behalf of the former.[8] He probably was dead in 1446, and had issue:—

   (1) *Peter* of Carlowrie, who took sasine of the lands and mill of the Muskmyln at Lanark in 1446,[9] and is designed of Carlowrie as witness to an infeftment of Archibald Dundas of Dundas and Agnes Borthwick, his spouse, on 23 December 1452,[10] and as one of the inquest in the service of Agnes Melville to her father in the lands of Melville, on 23 April 1471.[11] In 1465 he resigned the hospital of St. Leonard at Lanark, in favour of John Stewart of Cragy,[12] a confirmation by James II. of the original grant by Robert III., of 3 June 1400, having been obtained *circa* 1451-52.[13] On 11 March 1465, he procured a transumpt of David Fleming's charter to Sir John Dalzell of the lands of Bracanrig, dated 3 June 1400.[14] In 1530 the estate of Carlowrie was held by David Dalzell.[15]

2. *Adam* of Botheax and Elliotstown, brother of Walter, is designed of Botheax as a witness in two charters, dated 5 February 1423, to William de Maxwell of

[1] Robertson's *Index*, 138, 30. [2] *Eleventh Rep. Hist. MSS. Com.*, App. vi. 24. [3] *Ibid.* [4] *Exch. Rolls*, iv. 370. [5] *Scotts of Buccleuch*, ii. 25. [6] *Earls of Haddington*, ii. 229. [7] *Reg. Mag. Sig.*, 3 June 1424. [8] *Book of Caerlaverock*, ii. 429. [9] *Exch. Rolls*, ix. 659. [10] Carta, *penes* Dundas of Dundas, Riddell, *b. m.*, 107. [11] *Melville Book*, iii. 47. [12] *Reg. Mag. Sig.*, 21 April 1465. [13] *Ibid.*, 9 February 1451-52. [14] *Eleventh Rep. Hist. MSS. Com.*, App. vi. 24. [15] *Reg. Mag. Sig.*, 3 June 1530.

Akynhede, of the lands of Kilcadroblaw and others,[1] and is designed of Elliotstown in two charters dated 10 November 1426, in favour of Andrew Agnew of the Constabulary of Lochnaw and others.[2] He was a witness along with his brother Walter to the mortification by Thomas Summyrville de Carnwythe,[3] and was also witness to a notarial copy of Robert III.'s charter of the lands of Dalzell, dated 5 June 1397, in favour of his uncle George, taken at Lanark on 2 May 1418.[4] Further, Edward of Crauford names him as one of his bailies in a procuratory of resignation of the lands of Dalgarnock on 21 March 1423.[5] He was succeeded in the estate of Botheax by one who was probably his son:—

(1) *Thomas*, who is designed of Botheax in a precept directed to him by Alan Stewart, Lord of Darnley, for infefting Robert de Dalzell of the Bracanrig in the lands of Brownside, dated 10 December 1429,[6] and is similarly designed in an instrument of sasine, dated 3 November 1466, by Sir William of Douglas, to Robert de Dalzell of that Ilk, in the lands of Ballibocht.[7] He served on two inquests in 1431 and 1432,[8] and was a witness in 1437. He was followed by two[9] Roberts of 'Budhous.'[10]

3. Robert, who succeeded to the Dalzell estate.

Robert Dalzell of Dalzell, third son of Sir John, is first designed of Dalzell in a family indenture dated 27 June 1446, between Sir John de Maxwell of Nether Pollok and his sons,[11] and is also so designed in a charter, dated 31 December 1450, to Walter le Graham of Wallastown,[12] and in a charter, dated 19 December 1452, by Philip Mowbray of Dalmeny to Archibald Dundas of Dundas, of the lands of Ecklyn.[13] Robert de Dalzell had sasine of the mill lands of Muskmyln in 1446,[14] and it is probable that it is he who appears as 'George' Dalzell, stated to have

[1] *Reg. Mag. Sig.*, 26 July 1424. [2] *Ibid.*, 31 January 1430-31. [3] Cf. *supra*. [4] Macfarlane MSS., Account of the Family of Dalzell, i. 39, 40. [5] *Fifteenth Rep. Hist. MSS. Com.*, App. viii. 33. [6] *Maxwells of Pollok*, i. 160. [7] *Fifteenth Rep. Hist. MSS. Com.*, App. viii. 37. [8] Macfarlane MSS. in Adv. Lib., 35, 4, 12a; *Registrum Nigrum de Aberbrothoc*, 61. [9] *Eleventh Rep. Hist. MSS. Com.*, App. vi. 24. [10] *Reg. Mag. Sig.*, 18 January 1504-5, 5 September 1528; *Lord High Treasurer's Accounts*, iii. 14. [11] *Pollok-Maxwell Chartulary*, 7. [12] *Reg. Mag. Sig.*, 15 Jan. 1450-51. [13] Carta, *penes* Dundas of Dundas; Riddell's Notes, *b. m.*, 107. [14] *Exch. Rolls*, ix. 659.

taken sasine of the lands of Dalzell in the same year.[1] He succeeded his father in the Bracanrig by charter of resignation, granted by Malcolm Fleming on 6 July 1437,[2] and acquired the lands of Brownside in 1429, and Rylandside in 1435, from Alan Stewart, Lord of Darnley;[3] the latter also confirms, on 18 November 1437, the grant of the lands of Carngulane by Sir Herbert Herries, Lord of Terregles, to Robert and the heirs-male of him and Agnes de Hamilton, his spouse.[4] In 1456 he twice attempted to obtain sasine of the lands of Balybucht from Sir William Douglas, as baron of the barony of Morton, but was repulsed at the gate by Lady Janet of Borthwick, of which acts notarial records were taken; but in 1466 peace was restored, and sasine was given by Sir William.[5] The property of Sandyholme had been acquired by him before 1444.[6] On 7 February 1486 he served on an inquest.[7] He must have owned the Elliok estate, which his grandfather, Sir William, had held, since his son received sasine as heir to him on 10 November 1494, which also fixes his death as prior to that date.[8] He married Agnes Hamilton,[9] and had issue:—

1. WILLIAM, of Dalzell and Elliok.
2. *John*, of the Bracanrig and Brownside. On 27 May 1447 he obtained a notarial instrument narrating his father's charter to the lands of Brownside, of 5 December 1429,[10] and between 1451 and 1454 disposed of the Bracanrig and Brownside to Hugh Campbell, brother to Sir George Campbell, and Catherine le Blair, his wife; the sasines were given by the granter himself, and are written in the old Scots vernacular.[11] The property of Sandyholme came to him from his father, and he also owned half Threepwood. Died *ante* 1490 and left a son:—

    (1) *Robert* of Sandyholme, who on 27 November 1490 granted to James Campbell of Brownside an obligation to warrant him

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1 *Exch. Rolls*, ix. 659. 2 *Eleventh Rep. Hist. MSS. Com.*, App. vi. 24. 3 *Ibid.*; *Maxwells of Pollok*, i. 159-162. 4 *Montgomeries, Earls of Eglinton*, ii. 28. 5 *Fifteenth Rep. Hist. MSS. Com.*, App. viii. 37. 6 *Reg. Mag. Sig.*, 15 Dec. 1451. 7 Macfarlane MSS., Account of the Family of Dalzell, vol. ii. 8 Instrument *penes* James Veitch; Macfarlane MSS. in Adv. Lib., 34, 3, 25, p. 108. 9 *Montgomeries, Earls of Eglinton*, ii. 28. 10 *Eleventh Rep. Hist. MSS. Com.*, App. vi. 24. 11 *Ibid.*, 25, 27; *Pollok-Maxwell Chartulary*, 310; *Maxwells of Pollok*, i. 173.

in peaceable possession of the lands of Bracanrig and Brownside.[1]

3. *John (secundus)*, who witnessed the instrument of sasine of the lands of Brownside, granted by his brother John, to Hugh Campbell and his wife, on 5 September 1451.[2] He may be identical with 'John Dalzell in Knowhubill,' who witnessed a charter to Alexander Somervill of the lands and barony of Braxfield, dated 22 March 1495.[3]

WILLIAM DALZELL, of Dalzell and Elliok, succeeded to, and was infeft in, the lands of Dalzell, Mousmyln, Millhill, and Millholme in 1494,[4] and on 10 November of the same year obtained from Sir William Douglas of Drumlanrig sasine of the lands of Elliok, as true and lawful heir of his father, Robert Dalzell of that Ilk,[5] under which latter description his name also appears on 14 October 1495, as one of the Lords of Council chosen by James IV.[6] He was slain in a fray at Dumfries, in September 1508, between Lord Maxwell and Lord Crichton of Sanquhar, of whose party he was one.[7] He married Gelis Hamilton of Preston,[8] also called Elizabeth,[9] and had issue:—

1. *Robert*, son and apparent heir of William Dalzell of that Ilk, is mentioned 27 July 1501,[10] and in 1506;[11] but he must have predeceased his father. On 15 December 1508 there is a grant of the ward and marriage of Robert, 'nevo' and heir of William Dalzell of that Ilk.[12] He had issue a son:—
   (1) ROBERT, of whom hereafter.
2. *Thomas*, who witnesses, on 4 July 1524, a charter of his nephew, Robert Dalzell of that Ilk,[13] and who had issue:—
   (1) *James*, merchant in Edinburgh. Died 8 March 1608, aged seventy-eight years.[14]

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[1] *Eleventh Rep. Hist. MSS. Com.*, App. vi. 28. [2] *Ibid.*, 26. [3] *Reg. Mag. Sig.*, 26 March 1500. [4] *Exch. Rolls*, x. 769; *Lord High Treasurer's Accounts*, i. 221. [5] Macfarlane MSS. in Adv. Lib., 34, 3, 25, p. 108; carta, *penes* James Veitch. [6] *Acta Dom. Conc.*, Riddell's MSS., Notes, in Adv. Lib., *b. m.*, 90. [7] Pitcairn's *Criminal Trials*, I. i. 53, 65, 77, and 85; Lesley's *History*, 78; Anderson's MSS., History of Scotland, in Adv. Lib., i. 76. [8] Tombstone in Dalzell Churchyard. [9] *Acta Dom. Conc.*, xvii. 182, and xx. 231. [10] Protocol Book of James Young, Edinburgh City Chambers. [11] *Acta Dom. Conc.*, xviii. pt. i. 161. [12] *Reg. Sec. Sig.*, iii. 200. [13] Macfarlane MSS., Account of the Family of Dalzell, vol. ii. [14] Tombstone in Dalzell Churchyard.

3. *Patrick.*
4. *Mr. George*, graduated as M.A. at Glasgow University 1508,[1] and is a witness on 29 April 1509.[2]
5. *John.*[3]
6. *Marion*, married, first, contract 1 December 1500, to John Montgomery, eldest son of George Montgomery of Skelmorlie, who died before 1508;[4] secondly, before 1534, to Michael Lindsay.[5]

ROBERT DALZELL of Dalzell, grandson of William, who was infeft in the mill of Lanark in 1509, and the lands of Dalzell in 1510.[6] He was one of the noblemen who agreed on 30 October 1510 to request James IV. to infeft Archibald, fifth Earl of Angus, in the lordship of Crauford-Lindsay,[7] and was concerned in the raid of Jedwood Forest, as he is a party to the arbitration arising out of it, in which the award is issued on 10 July 1520.[8] Justiciary commissions were issued to him and his son and heir-apparent, Robert, at St. Andrews on 26 October 1546.[9] He resigned the fifty shilling land of Kittymure, and got a new grant from the Crown in 1543 in favour of himself in life-rent, and his son Robert in fee.[10] Robert Dalzell died in 1549.[11] He married Margaret Hamilton, who was murdered by Ninian Dalzell,[12] and had issue:—

1. ROBERT of Dalzell and Elliok.
2. *William*, witness to a feu of his brother Robert, on 22 January 1554.[13] Slain by John Douglas, son of James Douglas of Drumlanrig, on 8 May 1555.[14]
3. *Paul*, designed 'filius domini de Dalzell' in the rolls of Glasgow University in 1512.[15]
4. *John*, witness to a charter of his brother Robert on 4 July 1524.[16]
5. *Christian*, married, first, to John Somervill of Cambusnethan; secondly, *circa* 1539, to John Lindsay of

[1] *Munimenta Alme Universitatis Glasguensis*, ii. 282 and 284. [2] *Reg. Mag. Sig.*, *ea data.* [3] All mentioned, *Acta Dom. Conc.*, xx. 231. [4] *Montgomeries, Earls of Eglinton*, i. 155. [5] *Acta Dom. Conc.*, v. 199; vi. 19. [6] *Exch. Rolls*, xiii. 660-661. [7] *Douglas Book*, iii. 198. [8] *Eleventh Rep. Hist. MSS. Com.*, App. vi. 32. [9] *Exch. Rolls*, xviii. 407. [10] *Reg. Mag. Sig.*, 19 April 1543. [11] See also *Acts and Decreets*, iv. 57, which proves that Robert died before 21 May 1550. [12] *Reg. Sec. Sig.*, xxvii. 46. [13] *Reg. Mag. Sig.*, 16 May 1611. [14] Pitcairn's *Criminal Trials*, I. i. 387; *P. C. Reg.*, i. 300. [15] *Munimenta Universitatis Glasguensis*, ii. 126. [16] Macfarlane MSS., Account of the Family of Dalzell, vol. ii.

Covington; thirdly, to John Crichton of Ryhill, tutor of Sanquhar, contract dated 19 January 1554-56,[1] who predeceased her before 3 May 1581, and had by her a son, Robert of Ryhill.[2]

6. *Margaret*, married to Gavin Lockhart of Kirkwood, contract 29 November 1660.[3]

ROBERT DALZELL of Dalzell and Elliok, who had sasine of the Dalzell estate and the Mousmyln on 26 May 1549. The Elliok property was also held by him, as his widow has a marriage-contract provision out of it.[5] On 4 July 1524 he granted to his kinsman, Robert Robertson, his half of Easter Moddervil,[6] and on 5 February 1533 he received a most solemn and humble apology from Robert, fifth Lord Maxwell, for the slaughter of his grandfather, William Dalzell, at Dumfries in 1508.[7] On 2 November 1555, Robert and Cristine Dundas, his spouse, granted a letter of reversion to John Maxwell and his wife of an annualrent of 20 merks, out of the town of Nether Pollok, on payment of 200 merks to the granter; this deed is sealed with the seals of the granters.[8] On 16 August 1559, he granted the lands of Dalzell and the mill of Lanark to his son Robert and his wife, in implement of their marriage-contract, under reservation of the granter's liferent and his wife's terce.[9] He died before 1563.[10] By a first wife he had issue:—

1. ROBERT of Dalzell and Elliok.
2. *Andrew*, who like his elder brother fought on Queen Mary's side at Langside.[11]
3. *Christian*, married to John Boswell of Auchinleck,[12] contract, 21 August 1562.
4. *Margaret*, mentioned in the family arrangement in 1563, said to have been married to John Hamilton of Bromhill.[13]

He married, secondly, contract 29 January 1551, Cristine, daughter of James Dundas of Newliston,[14] and by her

[1] *Reg. of Deeds*, i. 61. [2] *P. C. Reg.*, iii. 382. [3] *Reg. of Deeds*, iii. 467. [4] *Exch. Rolls*, xviii. 471. [5] *Reg. Mag. Sig.*, 12 November 1596. [6] Macfarlane's MSS., Account of the Family of Dalzell, vol. ii. [7] *Book of Caerlaverock*, ii. 467. [8] *Pollok-Maxwell Chartulary*, 15. [9] *Reg. Mag. Sig.*, 27 August 1559. [10] Riddell's MSS., Notes, in Adv. Lib., *b. m.*, 45. [11] *Reg. Sec. Sig.*, xliii. 34. [12] *Reg. of Deeds*, v. 315. [13] *Ibid.* [14] *Edinburgh Com. Decreets*, i. 309; *Reg. Mag. Sig.*, 27 August 1559.

(who, after his death, and prior to 1571, married James Roberton of Earnock and had issue by him) had issue:—

5. *John*, described as son and heir of Christian Dundas and Robert Dalzell, in an agreement to which he and his mother are parties, with Sir John Stewart of Minto, and Matthew, his eldest son, on the other part, as to an annualrent from the lands of Busbie, of date 2 April 1574.[1] He was a merchant in Edinburgh. He is said to have been the grandfather of General Thomas Dalzell; but as the general's father was born in 1573,[2] there is only a probability that the statement is correct. It may be added that the general's father and mother, Thomas Dalzell in Edinburgh, and Jonet Bruce (no other designations), were married on 8 December 1601,[3] and their son was born in 1615.[4] On his tombstone Thomas Dalzell of Binns is said to be descended of the ancient race of the Lords of Dalzell, now (1642) Earls of Carnwath.
6. *James*, apprenticed to Robert Abercromby, merchant burgess of Edinburgh, 10 January 1573-74,[5] residing on the Castlehill there in 1595,[6] witnessed two bonds of caution by his brother Robert in 1591 and 1592.[7]
7. *Catherine*, married to John Roberton, Sheriff-Clerk of Lanark, and had a son Bartholomew.[8]
8. *Helen*, married (contract 16 November 1590) to John Stirling of Baldoran.[9]

Robert Dalzell of Dalzell and Elliok got a charter of the lands of Dalzell and Mill of Lanark from his father, subject to the latter's liferent and his mother's terce, on 16 August 1559, in implement of his marriage-contract.[10] He also held the estate of Elliok.[11] He was a staunch adherent of Queen Mary, and on 5 September 1565 signed the bond of lords and barons of the West Country in support

[1] *Acts and Decreets*, lxiii. ff. 148-150. [2] Tombstone at Abercorn. [3] Canongate Register of Marriages. [4] Abercorn Register of Baptisms. [5] *Edinburgh Burgh Reg. of Deeds*, 15 June 1574. [6] *Reg. Mag. Sig.*, 12 November 1596. [7] *P. C. Reg.*, iv. 638, 761. [8] Macfarlane MSS., Account of the Family of Dalzell, vol. ii. [9] *Gen. Reg. of Inhibitions*, 2nd series, v. 156. [10] *Reg. Mag. Sig.*, 27 August 1559. [11] *Ibid.*, 12 November 1596.

of the Duke of Albany and the Queen.[1] He was at the battle of Langside on 13 May 1568,[2] but in May 1570 signed a bond to submit himself to King James.[3] This cannot have been effective, as on 28 July 1572 he was indicted as art and part in the murder of Darnley and the two Regents.[4] He and his brothers were accused of molesting William Crichton, tutor of Sanquhar, in the years 1576 and 1577.[5] He represented the burgh of Wigtown in the Scots Parliament in 1587. He died, according to Crawfurd, about 1588,[6] but he was alive on 13 August 1607, when his son was still 'apparent of that Ilk,' but died between that date and February 1610, though the exact year cannot be clearly determined.[7] He married (contract 1 May 1558) Janet, daughter of Gavin Hamilton, Commendator of Kilwinning, and Margaret Hamilton of Broomhill,[8] and by her had issue:—

1. Sir Robert, who succeeded.
2. *Gavin*, who witnessed his father's charter of 9 May 1580,[9] and was denounced by the Privy Council in 1592 for the abduction of Marion Crichton,[10] and in 1610 for the abduction and illegal detention of James Donaldson of Drumbowie,[11] and bailie and burgess of Perth.[12]
3. *Archibald*. He had carried off Jean Dalzell, daughter of Nicol Dalzell of Dalzell Mill, a girl of fourteen years old, and compelled her to marry him in the kirk of Dalserf, 13 July 1599. The Commissaries of Edinburgh decerned him to adhere to her, 22 May 1600, but she subsequently recovered her liberty, and revoked the whole proceedings on 25 December 1601.[13] He was put to the horn as the result of complaints to the Privy Council against him by John Morison and the above-named Nicol Dalzell in 1601.[14] However, on 4 August 1603, he obtained a dispensation until 20

[1] *P. C. Reg.*, i. 363, *ea data*. [2] Crawfurd's *Peerage*, 68. [3] Bannatyne's *Memorials*, 43. [4] Pitcairn's *Criminal Trials*, I. ii. 35. [5] *P. C. Reg.*, ii. 538, 30 June 1576; ii. 593, 19 February 1577. [6] Crawfurd's *Peerage*, 68. [7] *P. C. Reg.*, vii. 429; viii. 423, 841. [8] *Reg. Mag. Sig.*, 27 August 1559. [9] *Ibid.*, 5 September 1580. [10] *P. C. Reg.*, iv. 770, 13 July 1592. [11] *Ibid.*, viii. 841. [12] *Ibid.*, v. 633, 635, 646; vi. 863; *Deeds*, cxxxvii. 7 September 1607. [13] *Edinburgh Commissariot Decreets*, vol. xxxi; *Deeds*, vol. iv. [14] *P. C. Reg.*, vi. 139, 31 July 1600; vi. 320, 10 December 1601.

November, because of his activity against the Clan Gregor.[1]

4. *James*, witnessed his brother Robert's bond of caution on 28 June 1592.[2]
5. *Claud*, died 1597.[3] Margaret and Marion, his sisters, were his executors.
6. *Mr. Thomas*, a creditor in Claud's testament.
7. *Christian*, who married John Hamilton, fourth of Orbiston, and had issue:[4]—
   (1) *Sir John*, Lord Justice-Clerk.
   (2) *James* of Boggs, who acquired the property of Dalzell in 1647, and from whom the Barons Hamilton of Dalzell are descended. Died 1668.
   (3) *Gavin*.
   (4) *Marion*, married John Hamilton of Bangour.
   (5) *Margaret*, married John Walkinshaw of that Ilk.
8. *Janet*.
9. *Margaret*, married to Robert Nisbet, son and apparent heir of Robert Nisbet of Dalzell. Contract 5 August 1601, registered 6 November 1601.[5]
10. *Marion*.
11. *Elizabeth*, named with her three elder sisters in 1586.[6]

I. SIR ROBERT DALZELL of Dalzell and Elliok was given a charter of the lands of Elliok by his father, subject to the latter's liferent and the terce of his mother and his grandmother, Cristine Dundas, on 12 June 1574,[7] and, in implement of his marriage-contract, got a charter of the lands of Dalzell and the mill of Lanark, under the same reservations, from his father on 9 May 1580.[8] Some more of the Elliok estate and the lands of Euchane were acquired by him in 1595 from his brother-in-law, Robert Crichton of Cluny, eldest surviving son of the King's Advocate, and younger brother of the Admirable Crichton.[9] On 18 September 1628 he was created a Peer, under the title of LORD DALZELL, and sat as such in Parliament in 1633.[10] He

[1] *P. C. Reg.*, vi. 862, 4 August 1603. [2] *Ibid.*, iv. 761, 762. [3] Edin. Tests., 13 January 1597-98. [4] Macfarlane's MSS., Account of the Family of Dalzell, i. 40. [5] *Deeds*, vol. lxxxiii.; see also *Reg. Mag. Sig.*, 31 March 1618, and 11 July 1635. [6] *Reg. Sec. Sig.*, liv. 158. [7] *Reg. Mag. Sig.*, 12 November 1596. [8] *Ibid.*, 5 September 1580. [9] *Ibid.*, 12 November 1596. [10] *P. C. Reg.*, 2nd series, ii. 483; *Acta Parl. Scot.*, v. 8 and 12.

gave 300 merks to the building of the college and library of Glasgow University in 1632.[1] In June 1638 he was admitted to the King's Council,[2] and subscribed the Covenant and Bond of Maintenance at Holyrood, on 22 September of that year.[3] Sir Robert was advanced to the dignity of EARL OF CARNWATH, BARON DALZELL AND LIBERTON, on 21 April 1639, at York, with limitation to heirs-male of his body.[4] Died 1639. He married (contract 28 March 1580) Margaret,[5] eldest daughter of Sir Robert Crichton of Cluny, the King's Advocate, and by her had issue:—

1. ROBERT, second Earl of Carnwath.
2. *Sir John* of Glenae and Newton, who obtained in 1631 a charter of novodamus of the ecclesiastical lands of Dalgarnock,[6] and in 1636 a charter of the ten-pound land and barony of Amisfield and others, in the county of Dumfries, resigned by Sir John Charteris of Amisfield.[7] Sir John was one of the Commissioners appointed in 1638 to require subscriptions to the King's Covenant.[8] In February 1646 and March 1649, the Convention of Estates ordered some of their creditors for military supplies (including James Hamilton of Boggs, who acquired Dalzell) to recoup themselves out of the fines and forfeitures of *inter alios* Sir John Dalzell of Newton,[9] but in July 1649 Sir John got a new grant of the lands and barony of Amisfield to be held by him and his heirs-male, whom failing to his son Robert and his heirs-male, whom failing to his daughter Mary and her heirs-male, bearing the name and arms of Dalzell, whom failing to Robert's daughter Mary and her heirs-male.[10] He was taken prisoner by Cromwell after the battle of Worcester, and imprisoned at Leith.[11] After the Restoration he obtained, on 8 March 1666, a charter of novodamus from Charles II. of the lands and barony of Amisfield, in favour of himself and his son Sir Robert.[12] He

[1] *Munimenta Almæ Universitatis Glasguensis*, iii. 468. [2] Sir Thomas Hope's *Diary*, 74. [3] Spalding's *History*, i. 69 and 320. [4] *Reg. Mag. Sig.*, 29 July 1648. [5] *Ibid.*, 5 September 1580. [6] *Ibid.*, 18 June 1631. [7] *Ibid.*, 1 November 1636. [8] Gordon's *Scots Affairs*, i. 109. [9] *Acta Parl. Scot.*, vi. 217, 416. [10] *Reg. Mag. Sig.*, 23 July 1649. [11] Nicoll's *Diary*, 59. [12] *Acta Parl. Scot.*, vii. 643; *Reg. Mag. Sig.*, 8th March 1666.

appears to have died before 23 December 1669.[1] He married, before 1625, Agnes, daughter of James Nisbet of Restalrig, and Marion Arnot, daughter of Sir John Arnot of Birswick. Marion Arnot married, secondly, Sir Lewis Stewart of Kirkhill, whom she survived, and Agnes Nisbet, Lady Glenae, with other daughters, was one of her executors in 1659.[2] By her he had issue:—

(1) Sir Robert of Glenae.
(2) *Mary*, married (contract dated 8 July 1665), as second wife, to Alexander, third Earl of Kellie.[3]
(3) ——, another daughter.[4]

Sir Robert Dalzell represented the county of Dumfries in Parliament from 1665 to 1685, except in 1678,[5] and was a Commissioner of Supply for Nithsdale and Dumfries in 1661, 1667, 1678, and 1685.[6] He was created a baronet by Charles II. on 11 April 1666.[7] He obtained on 23 December 1669 a ratification of the charter of Amisfield, of 8 March 1666,[8] and in 1670 a charter of recognition of the barony of Dalswinton.[9] Died between 13 May 1685 and 29 April 1686.[10]

Sir Robert married, first, Miss Sandilands, of the family of Torphichen; secondly (contract dated 11 October 1654), Margaret Johnstone, youngest daughter of James, first Earl of Hartfell,[11] who died *s. p.* October 1655, and was buried at Kirkmichael.[12] Sir Robert married, thirdly (contract dated 22 and 23 April 1657), Violet Riddell, daughter of Andrew Riddell of Haining,[13] by whom he had issue:—

(i) Sir John, second Baronet of Glenae.
(ii) *James*, a captain, served heir to his sister Henrietta on 27 October 1698.[14]
(iii) *Thomas*, lieutenant-colonel of the Scots Guards, and recommended for rank of brigadier by the Marquess of Ormonde on 10 March 1712.[15] He was served heir to his sister Violet on 27 October 1698.[16] He died in December 1743, and was buried in Greyfriars Churchyard, Edinburgh.[17] He married, November

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[1] *Acta Parl. Scot.*, vii. 643. [2] Edinburgh Tests., 12 January 1659; cf. *Reg. Mag. Sig.*, 11 July 1636. In 1625 there is mention of John, lawful son of Sir —— Dalzell of that Ilk, and Agnes Nisbet, his wife [*Gen. Reg. Sasines*, xviii. 64]; and John Dalzell of Newton, and Agnes Nisbet, his spouse, are named in a writ of 27 October 1649 [*Dumfries Sasines*]. [3] Lamont's *Diary*, 180; *Gen. Reg. Sasines*, xiii. 28. [4] According to Douglas. [5] *Acta Parl. Scot.*, vii. 527, 536, 549; viii. 4, 56, 209, 217, 232, 452. [6] *Ibid.*, vii. 91, 544; viii. 225, 465. [7] *Reg. Mag. Sig.*, 11th April 1666. [8] *Acta Parl. Scot.*, vii. 643. [9] *Reg. Mag. Sig.*, 18 February 1670. [10] *Acta Parl. Scot.*, viii. 465, 580; according to Foster, 8 April 1686. [11] *Annandale Family Book*, i. p. ccx. [12] *Ibid.*, ii. 306. [13] *Dumfries Sasines*, vii. 30. [14] *Gen. Retours*, No. 8028. [15] *Seventh Rep. Hist. MSS. Com.*, 819. [16] *Gen. Retours*, No. 8027. [17] *Foulis of Ravelston's Account Book*, lxviii.

1701, Isabel, only daughter of Robert Fergusson of Craigdarroch, by his second wife, Elizabeth Grier, and had issue:[1]—

a. David, a merchant in Glasgow, served as heir of provision to his father on 11 March 1755,[2] and died 30 March 1772, leaving a son, Thomas.[3]

b. Jean, married to Thomas Gibson, and had issue.[4]

c. and *d. Agnes* and *Henriet.*

(iv) *Mary*, by the first marriage, a substitute under charter of 1649.[5] Married (contract 21 April 1652) to Robert Lawrie of Maxwelton.[6]

(v) *Agnes.*

(vi) *Henrietta*, died 1698.[7]

(vii) *Violet*, died 1698.[8]

Sir John Dalzell, second Baronet of Glenae, was served heir-male and of tailzie to his father in the lands and barony of Amisfield on 2 September 1686.[9] Sir John sat in Parliament for the county of Dumfries in 1686-89,[10] and was a Commissioner of Supply for Nithsdale and Dumfries in 1685.[11] Died March 1689,[12] leaving a will, dated 28 March of that year, by which he bequeathed 9000 merks to Mary his beloved daughter, and appointed his wife tutrix to his son Robert and his daughter and the bairn then *in utero.*[13] He married, 16 June 1686, Henrietta, second daughter of Sir William Murray of Stanhope, by whom he had:—

a. Sir Robert, third Baronet of Glenae, afterwards sixth Earl of Carnwath.

b. Sir John, born 1689.[14] Educated at Glasgow University in 1710,[15] and thereafter was captain in the army, but resigned his commission on the arrival of the Earl of Mar in 1715, and joined the Jacobite Forces. He was taken prisoner at Preston on 14 October, and court-martialled, but was dismissed on proving his resignation of his commission. He had issue:—

(*a*) *James*, who was, at the age of seven, at the Scots College at Douai in 1734.[16]

(*b*) *Mary*, married to William, sixth Viscount Kenmure. She died 16 August 1776.

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[1] Riddell's MS. Notes on Douglas. [2] *Retours, ea data.* [3] *Ibid.*, 11 August 1785. [4] *Foulis of Ravelston's Account Book*, lxviii. [5] *Reg. Mag. Sig.*, 23 July 1649. [6] *Deeds* (Durie), 4 July 1672. [7] *Gen. Retours*, No. 8028, 27 October 1698. [8] *Ibid.*, No. 8027, 27 October 1698. [9] *Retours*, Dumfries, No. 316. [10] *Acta Parl. Scot.*, viii. 577; ix. 4. [11] *Ibid.*, viii. 465. [12] *Retours*, March 1704. [13] Dumfries Tests., vol. vi. 11 August 1691. [14] *Ibid.* [15] *Munimenta Alme Universitatis Glasguensis*, iii. 196. [16] *Fifth Rep. Hist. MSS. Com.*, 654.

3. *James*, styled third son.[1] He married (contract 7 August 1618) Marion Craufurd, relict of James Oswell of Athellis,[2] witness to his father's charter of 10 October 1627,[3] and another, dated 20 May and 19 July 1631.[4]
4. *Thomas*, was cautioner along with his eldest brother in 1612 for Sir Robert Crichton of Cluny.[5] He is designed of Johnston in giving 40 merks for the college and library of Glasgow University in 1623,[6] and was a captain when made a burgess of Banff on 2 September 1640.[7] He was one of those whose losses were the subject of an Act and Commission in 1661 and 1663.[8]
5. *William*, described as 'sone lawfull to Sir Robert Dalzell, elder, of that Ilk, Knight,' in a bond by him of date at the Castle town of Drumlanrig 8 May 1624, to Archibald White, stabler, Edinburgh, for a loan of 400 merks.[9]
6. *Margaret*, eldest daughter, married John Wilson, younger of Croglin (contract dated 9 July 1610, registered 26 November 1630).[10]
7. —— a daughter, married, before 13 August 1607, to George Crawford, younger of Auchencross.[11]
8. *Mary*, married Sir James Muirhead of Lachop.[12]

II. ROBERT, second Earl of Carnwath, was given by his father, on 10 October 1627, a charter of the lands of Dalzell and mill of Lanark.[13] In 1634 he bought the old lordship of Somervell and barony of Carnwath from James, Earl of Buchan and John, Earl of Mar,[14] his father. In the following year he obtained from Charles I. a charter, erecting into a barony of Dalzell, the whole lands of Dalzell, including the half which had belonged to the Nisbets from time immemorial, the mill of Lanark, and the lordship of Somervell and barony of Carnwath.[15] He signed the Con-

[1] *Gen. Reg. of Inhibitions*, 7 August 1619. [2] *Dumfries Sasines*, i. 139. [3] *Laing Charters*, No. 2003. [4] *Ibid.*, No. 2115. [5] *P. C. Reg.*, ix. 325, 30 January 1612. [6] *Munimenta Alme Universitatis Glasguensis*, iii. 469. [7] *Annals of Banff*, ii. 418. [8] *Acta Parl. Scot.*, vii. 294, 461. [9] *Reg. of Deeds*, ccccلxxv. f. 132, 21 July 1625. [10] *Deeds*, vol. cccxxxvi. [11] *P. C. Reg.*, vii. 429. [12] *Reg. Mag. Sig.*, 25 February 1654. [13] *Laing Charters*, No. 2003. [14] *Reg. Mag. Sig.*, 14 June 1634. [15] *Ibid.*, 11 July 1635.

fession of Faith on 22 September 1638 at Holyrood.[1] He was summoned to a Parliament,[2] and nominated as a Privy Councillor in 1641;[3] on 12 October of that year it was reported to the Convention of Estates that Carnwath had said, 'Now we have three Kings (Charles I. and Dukes of Hamilton and Argyll), and by God, two of them behove to want the head.'[4] On 23 June 1643 he was accused before the Estates of traducing Parliament in his Majesty's presence, was cited to appear, and, on his failure to do so, was fined £10,000 Scots on the following day. A committee was appointed to try Traquair and Carnwath, and on 18 August his estates were sequestrated for payment of the fine.[5] The fine was paid by Lady Carnegy, who craved to recover it from money of Carnwath's which had been arrested by the Estates.[6] On 21 June 1643 a warrant was issued for his apprehension under the Act of Pacification 1641, as a disturber of the peace between the two kingdoms.[7] He was among the most obnoxious malignants in the Act of Classes of June 1644,[8] and on 25 February 1645 the Estates found him guilty of treason and sentenced him to be hanged, but the estate and honour of Earl of Carnwath was transferred to his son, on payment of a fine of 100,000 merks Scots in two instalments, within eight days thereafter.[9] He was at the battle of Naseby in June 1645, and is accused of having persuaded King Charles to flee, by seizing his bridle, and saying 'Will you go upon your death in an instant.'[10] In 1651, by the King's desire, a committee was appointed to consider the restitution of Sir Robert to his power and dignity as Earl of Carnwath,[11] and on 3 June it reported that he was fully restored to his honour and dignity,[12] but Parliament ordained him to raise a reduction of the decree of forfeiture.[13] Sir Robert was taken prisoner at the battle of Worcester, 3 September 1651, and committed to the Tower on 16 September.[14] He was, on 25 June 1652, allowed

[1] Gordon's *Scots Affairs*, i. 108. [2] Spalding's *History*, i. 331. [3] *Acta Parl. Scot.*, v. 675. [4] Balfour's *Annals*, iii. 101. [5] *Acta Parl. Scot.*, vi. 5, 6, 13 and 44. [6] Balfour's *Annals*, iii. 101. [7] *Fifth Rep. Hist. MSS. Com.*, 92. [8] *Acta Parl. Scot.*, vi. 104. [9] Balfour's *Annals*, iii. 282; *Acta Parl. Scot.*, vi. 182. [10] Clarendon's *History of the Rebellion*, ii. 508. [11] *Acta Parl. Scot.*, vi. 601 and 606. [12] *Ibid.*, vi. 617. [13] *Ibid.*, vi. 623. [14] Nicoll's *Diary*, 59; *State Papers*, Domestic Series, 1651, 432.

to go to Epsom for six weeks to drink the waters,[1] and died in June 1654.[2] He married, first, Christian, daughter of Sir William Douglas of Hawick; and, secondly, Katherine, daughter of John Abingdon of Dowdeswell, co. Gloucester. On 30 October 1660 she had letters of administration as his widow. She married, secondly, 30 December 1661 (aged 26), William Watkins of Westminster (aged 60), who died probably before June 1662; and thirdly, as his second wife, Samuel Collins, M.D., who died 9 April 1710. She died 12 August 1712.[3]

1. GAVIN, third Earl of Carnwath.
2. *William*, who died unmarried before 1647.[4]
3. *Anna*, married to John Hamiltoun of Preston, without issue (contract 27 September 1632, registered 29 June 1641).[5]

III. GAVIN, third Earl of Carnwath, obtained along with his wife a charter of the lands of Gashogill and others in 1644, resigned, in implement of his marriage-contract, by his father and himself.[6] On his father's forfeiture he had to pay 100,000 merks for the former's liferent, and, to do this, conveyed the estate of Dalzell to his cousin, James Hamilton of Boggs in 1647,[7] and in the following year he parted with the mill of Lanark to Colonel William Lockhart of Lee, and the ten-pound land of Grange to William Carmichael.[8] He had in 1646 got a charter of novodamus of the barony of Dalzell,[9] and, after the sale of these portions of it, obtained in 1648 a fresh grant from the King of the earldom and of the barony of Carnwath.[10] In the same year an Act and a ratification with regard to the Earl of Carnwath, the provisions of which are not recorded, were passed.[11] In 1659 Cromwell granted him a charter of the barony of Home, apprised from James, Earl of Home for 6575 merks.[12] He served on various Committees of War for the counties of Dumfries and Lanark,[13] was a Commissioner of Supply for these shires in 1661 and 1667,[14] and sat in the Parliaments of 1661 to 1673.[15] On 30 May 1661 a report was

[1] *State Papers*, Domestic Series, 1651-52, 301. [2] *Dict. Nat. Biog.* [3] *Complete Peerage.* [4] *Gen. Retours*, No. 3226, 19 January 1647. [5] *Deeds*, vol. DXXX. [6] *Reg. Mag. Sig.*, 18 November 1644. [7] *Ibid.*, 23 August 1647. [8] *Ibid.*, 24 May 1648. [9] *Ibid.*, 15 April 1646. [10] *Ibid.*, 29 July 1648. [11] *Acta Parl. Scot.*, vi. 283, 334. [12] *Reg. Mag. Sig.*, 18 February 1659. [13] *Acta Parl. Scot.*, vi. 132, 213, and 297-298. [14] *Ibid.*, vii. 91 and 544. [15] *Ibid.*, vii. and viii. *passim*.

presented to Parliament as to the losses sustained by the late Earl and his son Gavin, now Earl, which were estimated at £93,600, and, with interest, at £188,018, 13s. 4d., whereupon Parliament represented to the King the propriety of compensation being made.[1] He died November or December 1673, leaving a will.[2] He married, first (contract 21 July 1637, by which Robert, his father, bound himself to infeft his son and his wife in the lands of Elliok, and his wife brought a tocher of 20,000 merks),[3] Margaret, elder daughter of David, Lord Carnegy, son of first Earl of Southesk,[4] by whom he had issue. She was living 4 July 1648. He married, secondly, before 14 December 1663,[5] Margaret Erskine, eldest daughter of Alexander, Viscount Fenton, son of Thomas, first Earl of Kellie.

1. JAMES, apparently by second marriage,[6] fourth Earl of Carnwath.
2. JOHN, fifth Earl of Carnwath.
3. *Robert*, educated at Glasgow University.[7]
4. *Margaret*, by first marriage.[8]
5. *Jean*, married to Claud Muirhead of Lachop.
6. *Christian*, died 1650.[9]
7. *Mary*, died 1650. These four sisters had a bond of provision in 1648, and were all by first marriage.[10]

IV. JAMES, fourth Earl of Carnwath, was at Glasgow University in 1659,[11] and served heir to his father on 30 May 1676.[12] He obtained from Charles II., in 1675, a fresh charter of the lordship and barony of Carnwath,[13] and sold the estate to Sir George Lockhart, President of the Court of Session, in 1684.[14] Died 1688.[15] He married Mary Seton,[16] youngest daughter of George, third Earl of Winton, who died January 1713, and by whom he had issue:—

1. A son, who died young.[17]
2. *Elizabeth*, married, first, Lord John Hay, second son of

[1] *Acta Parl. Scot.*, vii. 237, App. 46. [2] Dumfries Tests., vol. iv. 13 May 1675. [3] *Carnegie Earls of Southesk*, i. 114. [4] *Ibid.* [5] *Gen. Reg. of Sasines*, vii. 306. [6] *Ibid.* [7] *Munimenta Alme Universitatis Glasguensis*, iii. 114. [8] Lanark Tests., 4 March 1653. [9] *Ibid.*, vol. v. 4 March 1653. [10] *Ibid.* [11] *Munimenta Alme Universitatis Glasguensis*, iii. 110. [12] *Gen. Retours*, No. 5909. [13] *Reg. Mag. Sig.*, 3 March 1675. [14] *Ibid.*, 15 February 1684. [15] Edinburgh Tests., vol. lxxxi. 4 December 1701. [16] A portrait of her was sold at Colonel James Seton's sale on 23 October 1849; Seton's *Family of Seton*, 23, 632. [17] *Ibid.*, 230.

John, second Marquess of Tweeddale;[1] and, secondly, General Robert Hunter, who died Governor of Jamaica in 1734.[2]

V. John, fifth Earl of Carnwath, was at Glasgow University in 1659.[3] Served heir to his brother on 13 November 1688.[4] He was a Commissioner of Supply for the county of Dumfries in 1696;[5] his attendances in Parliament were frequent. He was a member of a musical and political club called 'Pat Steill's,' in 1690,[6] and ran his horse in matches against Lord Leven and Melville's in 1697.[7] In 1685, Lords Carnwath, Aberdour, and Loudon each strove to be pursebearer to the Duke of Queensberry, the King's Commissioner to Parliament, but he gave it to his own second son.[8] The Earl died 7 June 1702, unmarried.[9] On his death the earldom passed to Sir Robert Dalzell, the great-grandson of Sir John, second son of the first Earl.

VI. Sir Robert Dalzell, sixth Earl of Carnwath, who was served heir to his father and great-grandfather, Sir John, on 20 April 1695.[10] On the death of John, fifth Earl of Carnwath, in 1702, he succeeded to the earldom, and was served heir in November of that year. He was a member of 'Patrick Steill's Club' in 1704,[11] and was a Commissioner of Supply for Dumfriesshire in 1706.[12] He was engaged in the Rebellion of 1715, being one of those who attempted to seize William, Marquess of Annandale, in October.[13] His name is on the Jacobite 'Muster Roll,'[14] and he was taken prisoner at Preston on 14 November, and committed to the Tower on 8 December.[15] Carnwath was impeached in the House of Lords on 19 January 1716, and pleaded guilty. He was sentenced to be executed, and his honours and estate, valued at £863 per annum, were forfeited, but he was ultimately respited and then pardoned.[16] In 1723

[1] Maitland's *House of Seton*, 79; Crawfurd's *Peerage*, 69. [2] *Hunter of Hunterston*, 28. [3] *Munimenta Alme Universitatis Glasguensis*, iii. 110. [4] *Retours*, No. 6947. [5] *Acta Parl. Scot.*, x. 29. [6] *Earls of Leven and Melville*, i. 257. [7] *Ibid.*, ii. 242. [8] Fountainhall's *Historical Observes*, 157. [9] Crawfurd's *Peerage*, 69; *Retours*, 22 March 1764. [10] *Gen. Retours*, Nos. 7576-7577. [11] *Earls of Cromartie*, i. 219. [12] *Acta Parl. Scot.*, xi. 318. [13] *Annandale Family Book*, ii. 255. [14] Seton's *Family of Seton*, 255. [15] *Book of Caerlaverock*, ii. 62. [16] *State Trials*, xv. 761-801.

his estates, with the exception of Elliok, which had reverted to the superior, the Duke of Queensberry,[1] were bought from the Commissioners on forfeited estates, at public auction, by William Veitch, Writer to the Signet, Carnwath's lawyer, who had advanced him large sums of money,[2] and these were restored to Sir Robert in 1734-35.[3] Sir Robert died at Kirkmichael 19 July 1737.[4] He married, first, on 19 January 1710 (the date of contract), Grace Montgomery, third daughter of Alexander, ninth Earl of Eglinton, who died in January 1713. He married, secondly, on 3 June 1720, Grizel, daughter of Alexander Urquhart of Newhall. She died 3 September 1723. The Earl married, thirdly, 15 November 1728, Margaret, daughter of John Hamilton of Bangour. She died 13 February 1730, at Edinburgh.[5] He married, fourthly, at Worksop, 19 June 1735, Margaret, third daughter of Thomas Vincent of Barnborough Grange, baptized at Barnborough 5 November 1696, and died in London 11 April 1758. The Earl had issue by all his wives, as follows:—

1. *Euphemia*, died before 1715.
2. *Margaret*, to whom, by bond dated 11 May 1715, he provided the lands of Elliok, while by a previous disposition he had left her his jewels, which consisted of *inter alia* 'a gold meddle of King Charles I. *anno* 1643, and King Charles I.'s picture in a ring.'[6] She died unmarried 18 April 1781.
3. *Alexander* (only child of second marriage), styled Earl of Carnwath, born 2 February 1721-22, was served heir to his father in Dalruscan, Amisfield, etc., on 20 September 1737,[7] and heir-general to his sisters Margaret and Elizabeth on 18 May 1782,[8] was educated at Edinburgh University.[9] He died 3 April 1787 at Kirkmichael, having married before 1753 Elizabeth Jackson, and had issue:—

(1) *Richard*, styled Lord Dalzell, born 23 July 1753, who died

[1] Carta, *penes* G. D. Veitch, Esq. of Elliok. The Duke, by bond dated 25 May 1720, bound himself to convey Elliok to Captain Alexander Urquhart of Newhall, to whose daughter Carnwath was married ten days later; but Elliok passed to William Veitch, whose family have since held it. [2] *Forfeited Estates*, 1715, Papers at Reg. House. [3] *Reg. Mag. Sig.*, 26 July 1734, and 12 February 1735. [4] *Services of Heirs*, 1730-39; Dumfries Testts., xii. 31 May 1742, and 6 February 1745. [5] Funeral entry in Lyon Office. [6] *Montgomeries, Earls of Eglinton*, i. 103. [7] *Retours*, 5 October 1737. [8] *Ibid.*, 23 May 1782. [9] Carlyle's *Autobiography*, 31.

27 June 1782, having married in 1775 Elizabeth Johnston, and had issue:—

i. *Elizabeth*, born 1776, married to Sir Alexander Gilbert Grierson of Lagg, Bart., who died March 1840.

(2) *Robert*.

(3) *Alexander*, Surgeon H.E.I.C.S., born 23 August 1760, died unmarried 1788.

(4) *John*, born 19 November 1765, had issue Eliza Jane, married Jonas M. Leake, M.D.

(5) *James*, lost at sea when about fourteen.

(6) *Margaret*, married in 1778 to Sir Robert Grierson, Bart., of Lagg, who died 8 August 1839, at the alleged age of 102.

(7) *Elizabeth*, died 23 December 1830, aged 61.

Robert Dalzell of Glenae, the eldest surviving son. Advocate 1776. Succeeded his father in 1787, and served heir-male and of provision to him on 29 July 1788.[1] He died at Glenae 13 February 1808, having married, 18 March 1783, Anne, daughter of David Armstrong of Kirtleton, advocate, and by her, who died 21 February 1797, he had issue:—

i. *John*.

ii. *Margaret*, born 29 April 1784, succeeded to Glenae after her brother's death;[2] died 29 April 1847,[3] married, 20 August 1818, to Captain Dougall Stewart Dalzell, who died 25 April 1847, leaving a son, Robert Brainerd, who succeeded to Glenae on his mother's death.[4]

iii. *Elizabeth*, born 20 October 1790, married, 31 August 1812, to Henry Alexander Douglas, who died 15 March 1837.

John Dalzell of Glenae, the only son, was born 18 August 1795. Succeeded his father 1808. Became a midshipman, and died, unmarried, in an action off New Orleans on 10 October 1814.

4. *Elizabeth*, by third marriage, who died 1737.

5. *Robert*, by fourth marriage, whose line became the senior one on the death of John Dalzell of Glenae in 1814. He died 31 July 1788. He married, May 1761, Elizabeth, daughter of Richard Acklom of Wiseton, in Nottingham, by whom he had issue:—

(1) Robert Alexander, seventh Earl of Carnwath.

(2) *Elizabeth*, died unmarried 24 March 1819.

VII. Robert Alexander Dalzell, afterwards seventh Earl of Carnwath, was born 13 February 1768, and became a lieutenant-general in the army. He was, on 26 May 1826, restored to the earldom, though not apparently to the barony of Dalzell, by Act of Parliament. He died 1 January 1839. He married, first, 23 September 1789, Jane,

[1] *Services of Heirs*, 1780-89. [2] *Ibid.*, 1810-19. [3] *Ibid.*, 1840-49. [4] *Ibid.*

daughter of Samuel Parkes of Cork, and by her, who died 30 September 1791, had a daughter:—

1. *Elizabeth*, born 12 August 1790, died 3 May 1801.

He married, secondly, 26 April 1794, Andalusia, daughter of Lieutenant-Colonel Arthur Brown of Knockduff House, Kinsale, and by her, who died March 1833, had issue:—

2. *Catherine Andalusia*, born 7 February, died 1 May 1795.
3. *Robert Arthur*, born 1 May 1796, died 30 December 1799.
4. Thomas Henry, eighth Earl of Carnwath.
5. Arthur Alexander, afterwards tenth Earl of Carnwath.
6. *Andalusia*, born 11 June 1801, died 2 February 1813.
7. *Robert Acklom*, born 17 December 1802, died 20 January 1804.
8. Harry Burrard, afterwards eleventh Earl of Carnwath.
9. *Charlotte Marianne*, born 28 April 1806, died young.
10. *Emma Maria*, born 28 March 1809, died 25 December 1882.
11. *Eleanor Jane Elizabeth*, born 4 November 1810, died 3 May 1836.
12. *Charlotte Augusta*, born 24 July 1812, died 27 December 1844.
13. *Vincent Carnwath*, born 2 April 1815, died an infant.
14. *Robert Alexander George*, born 19 August 1816. Honorary colonel of the Grenadier Guards, C.B., Knight of the Medjidi (fifth class). Died 19 October 1878. Married, 27 August 1846, Sarah Bushby, daughter of John Harris of Eldon House, London, Canada, by whom he had issue:—

    (1) Robert Harris Carnwath, the present Earl of Carnwath.

    (2) *Arthur Edward*, born 25 December 1851, C.B., married 4 December 1902, Muriel Windham, second daughter of Colonel Norton Knatchbull, and has issue Muriel Marjorie, born 22 September 1903.

    (3) *Amelia Andalusia*, born 11 December 1848, died 15 August 1850.

    (4) *Mary Isabella*, born 22 July 1850, married, 30 July 1874, Major Thomas Leith of Petmathen, and has issue.

    (5) *Charlotte Emma Maud*, born 2 September 1859, married, 25 February 1882, Colonel Launcelot Rolleston, D.S.O.

Married, thirdly, 11 October 1838, Jane Cornell, widow of Major Alexander Morrison of Gunnersbury Park, Middlesex, and daughter of John Cornell of Correnden and Hazel Hall, Kent. She died 14 May 1863.

VIII. Thomas Henry, eighth Earl of Carnwath, born 2 September 1797. Died at Bagnères de Bigorre, France, 14 December 1867. Married, first, 9 September 1834, Mary Anne, eldest daughter of the Right Honourable Henry Grattan, and widow of John Blackford of Altadore, co. Wicklow. She died 22 September 1853. The Earl married, secondly, 2 May 1855, Isabella Eliza, daughter of Colonel Eardley Wilmot, and widow of John Hartpole Lecky, and by her, who died 16 October 1902, he had issue:—

1. Henry Arthur Hew, ninth Earl of Carnwath.

IX. Henry Arthur Hew, ninth Earl of Carnwath, born 12 April 1858. He died 13 March 1873, while at school at Harrow, and was succeeded by his uncle.

X. Arthur Alexander, tenth Earl of Carnwath, the second son of the seventh Earl. Born 15 September 1799. Became a general in the army, and colonel of the Forty-eighth regiment. He died unmarried 28 April 1876 at Eaton Place, and was succeeded by his brother.

XI. Harry Burrard, eleventh Earl of Carnwath, brother of the last Earl. Born 11 November 1804. Colonel in the Bengal Artillery. Died 1 November 1887. He married, on 16 November 1827, Isabella, daughter of Rev. Alexander Campbell, who died 14 October 1867, and had issue as under, but as he left no surviving male issue, he was succeeded by his nephew as twelfth Earl. (*See below.*)

1. *Arthur John*, born 8 April 1829, died 9 April 1849.
2. *Robert Augustus*, captain, Scots Fusilier Guards, born 13 October 1838, died 20 April 1869.
3. *Eleanor Carnwath*, born 14 August 1840, died 29 May 1867.
4. *Edith Isabella*, born 15 October 1843. Married 31 July 1875, to Admiral Edward Stanley Adeane, who died 18 October 1902, and had issue.

XII. Sir Robert Harris Carnwath, twelfth Earl of Carnwath, baronet of Nova Scotia. Born 1 July 1847. Succeeded his uncle in 1887. Representative Peer 1892. Married, on 19 August 1873, Emily Sulivan, daughter of Henry Hippisley of Lamborne Place, Berks, and by her, who died 7 May 1889 at Carnwath House, Fulham, had issue:—

1. *Robert Hippisley*, Lord Dalzell, born 30 September 1877, educated at Trinity College, Cambridge, died unmarried 2 August 1904.
2. *Ronald Arthur*, born 3 June 1883.
3. *Ida Elizabeth*, born 9 June 1876.
4. *Violet Charlotte*, born 18 March 1879; married, on 19 February 1901, to Harold Greenwood Henderson, lieutenant, Life Guards, eldest son of Sir Alexander Henderson, Bart., of Buscot Park, and has issue:—

Creations.—18 September 1628, Lord Dalzell; 21 April 1639, Earl of Carnwath, Lord Dalzell and Liberton.

Arms.—(Recorded in the Lyon Register.) Sable, a naked man, his arms expanded proper.

Crest.—A sword standing upright azure, hilted and pommelled or.

Supporters.—Two armed men with targets in their hands.

Motto.—*I dare.*

[w. w.]

THE ANCIENT EARLS OF CARRICK

THE earldom of Carrick was at one time the northern portion of the old province of Galloway, which was in ancient times governed by its own princes and its own laws, and included all that is now called South Ayrshire, Wigtownshire, and the Stewartry of Kirkcudbright.

The people were Gaelic, perhaps descendants of the Picts.[1] The first personage of note in Galloway history apart from tradition is *Fergus*, Prince or Lord of Galloway (*see that title*), who died in 1161, leaving two sons:—

1. *Uchtred*, who will be treated under the title Galloway.
2. *Gilbert*, according to the then custom, shared with his brother the lordship of Galloway and the lands. They attended William the Lion in his invasion of Northumberland in 1174, when that monarch was taken prisoner. Galloway then broke into rebellion, many subjects of Scotland were murdered, the King's officers expelled, and the castles—which had but recently been built to protect them—thrown down. The brothers then quarrelled as to their respective jurisdictions, and Gilbert, by the agency of his son Malcolm, perhaps illegitimate, slew his brother

[1] Preface, *Liber de Melros*, xii. 174.

Uchtred, who adhered to the Scottish King, 22 September 1174, with peculiar circumstances of savage brutality.[1] Gilbert offered to pay the English King a yearly tribute of 2000 merks silver, 500 cows and 500 swine, but Henry II., on account of the murder of Uchtred, refused both homage and tribute.[2] In 1175, William of Scotland being restored to liberty, marched an army into Galloway to chastise Gilbert, but instead of executing justice, contented himself with exacting a pecuniary satisfaction. In 1176, Gilbert came to York with William, and was received by Henry. There he left his son Duncan as hostage for his friendship, and in 1180 he was charged in the English Exchequer with the then enormous sum of £919, 9s.[3] In 1184, he is found under the protection of England, making devastating raids into Scotland and rejecting terms of accommodation offered to him. Gilbert died 1 January 1185,[4] and was succeeded by his son and heir:[5]—

I. DUNCAN, then probably a minor. He is afterwards mentioned as Sir Duncan de Carrick. The death of Gilbert was the signal for general turmoil among the Galwegians. Roland, the son of the murdered Uchtred, defeated the supporters of the late Gilbert in a furious fight, 5 July 1185, and slew Henry Kennedy and others who are described as leaders and instigators of rebellion.[6] In 1186 Duncan compromised with Roland, in consequence of which King William the Lion confirmed to him the territory of Carrick on condition he renounced all claims to the southern portion of ancient Galloway. He had considerable estates, at the same time, in the north of Ireland.[7] In 1193, or before 1197, he granted the lands of Maybothelbeg or Little Maybole to the monks of Melrose, and he also founded and richly endowed the Abbey of Crossraguel, and there are many other instances of his munificence to the Church.[8]

[1] *Caledonia*, i. 630. [2] *Dal. Ann.*, i. 142. [3] *Cal. Docs. Scot.*, i. No. 955. [4] Hoveden, ii. 299. [5] Another son may have been Gillokonel Manthac, who in 1233 is described as brother of the Earl of Carrick (then Duncan), and gives evidence in a dispute as to lands on the Clyde, on behalf of the monks of Paisley. *Reg. de Passelet*, 166-168. [6] Robertson's *Scotland under her Early Kings*, 309; Fordun à Goodall, i. 490. [7] *Cal. Docs. Scot.*, Nos. 874, 878, 879. [8] *Caledonia*, iii. 485, 486, 530, 531.

He took part with King John of England, who calls him his cousin or kinsman, in his wars in Ireland. He also captured Matillidis de Haya, wife of William de Braosa, her son and daughter, who had fled from Ireland to Scotland, and handed them over to the English King.[1] He was present when Alexander II. took his oath to marry Joanna, eldest sister of Henry III.[2] Duncan is said to have been created EARL OF CARRICK by King Alexander II. between 1225 and 1230,[3] on condition that he resigned all claim to the lordship of Galloway. The descendants of Duncan and his son Neil appear to have taken the name of de Carrick. Earl Duncan died 13 June 1250.[4] He carried off in 1200, and probably married, Avelina, daughter of Alan Fitz-Walter, then High Steward of Scotland.[5] His seal, as attached to various original charters, bears the device of a griffin or dragon, not on a shield.[6] He had issue:—

1. *Neil*, who succeeded.
2. *John* de Carrick, who had the lands of Straiton. The Church of Straiton had been granted by his father to the monks of Paisley, a grant which was confirmed by King Alexander II. in 1236.[7] In the previous year, however, John had taken part in the revolt of the Galloway men, and had harried several churches in the diocese of Glasgow. In return for a pardon from the Bishop of Glasgow, John de Carrick granted to him a piece of land in Straiton with the right of patronage of the Church, but this last grant was invalid because of Earl Duncan's charter to Paisley. John's grant was confirmed by his father and King Alexander II. in 1244.[8] Sir John, Knight, son of the Earl, is also named as a witness in a charter by Earl Duncan of an annualrent from the lands of Barbeth.[9] Sir John de Carrick was probably the father of

   (1) *Roland* de Carrick, who obtained from Neil, Earl of Carrick

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1 *Cal. Docs. Scot.*, i. No. 480. 2 *Ibid.*, i. No. 762. 3 This is the date assigned by Chalmers, and it is not improbable, but in a writ to the monks of Melrose, the date of which must be before or in 1196, he is described as 'Duncanus, filius Gilberti filii Fergus, Comes de Karic,' and in other writs about and after 1200 he is styled Earl of Carrick (*Ibid.*, i. 172), but his style varies. *Liber de Melros*, i. 25. 4 *Reg. Epis. Glasguen.*, ii. 616. 5 *Chronica Rogeri de Hoveden*, Record Ser., iv. 145. 6 See *Carte de Northberwic*, pp. i, xxxi. 7 *Reg. de Passelet*, 427. 8 *Reg. Epis. Glasguen.*, i. 151, 152. 9 *Carte de Northberwic.*

(before the latter's death in 1256), a charter granting to him and his heirs the headship of the whole clan, as well in 'calumpnils' (Caupes),[1] as in other articles and things pertaining to the 'Kenkynol,'[2] with the office of bailiary of the country of Carrick, and the leading of the men thereof, to be held under the Earl and his heirs for ever.[3] This 'Kenkynol' could only be held by the male head of a Gaelic clan, and therefore Earl Neil could not transmit it to his daughter Marjory. No doubt he handed it over to Roland as his nearest heir-male, which strengthens the probability that Roland was the son of John of Carrick. In 1260 there is mention of a sum owing to the Crown *per relevium* of Roland of Carrick, probably denoting his entry to lands.[4] Unfortunately the name of the lands are not given. He was dead before 30 April 1275, leaving a widow Matildis or Matilda de Carrick, who was one of the co-heirs of Helwisa Levington, wife of Eustace Baliol. By her, who died before 30 March 1308, he had issue one son named Roland,[5] and probably by an earlier marriage Sir Gilbert, who succeeded to his father's estates.

i. *Sir Gilbert*, who appears as Gilbert Fitz-Roland in the homage roll of 1296, but is named some years before that, in 1285, as a party to an arbitration between himself and the nuns of Northberwick, of a dispute about the patronage of the Church of Maybole, which had been granted to the nunnery by Duncan, Earl of Carrick.[6] Gilbert's seal appended to this writ shows armorial bearings similar to those of the present Marquess of Ailsa, except that there are nine cross crosslets instead of three.[7] He was present in 1292 at the resignation of the earldom of Carrick by Robert Bruce to his son the future King, and was one of the sureties to King John Baliol for a former resignation.[8] In 1296, as stated, he did homage as one of the barons of Ayrshire. Some time between 1306 and 130), as Sir Gilbert of Carrick, Knight, he had from King Robert Bruce a remission, because through Arthur his brother-in-law he had delivered the castle of Lochdoon to the English, and in so doing

[1] 'Caupes' or 'Calpes' in Galloway and Carrick were gifts, such as a horse or other thing which a man in his lifetime gives to his master or to any other man that is greatest in power and authority, and specially to the head and chief of the clan, for maintenance and protection. Cf. Skene's *De Verborum Significatione*, *sub voce* 'Caupes.' These dues were not abolished until 1617 (*see* article 'Cassillis'). [2] In Gaelic *ceann* denotes a head, and *cinneal* a tribe or family. 'Kenkynol' or 'Ceanncinneal' therefore means head of the tribe or clan. [3] This grant was confirmed by King Alexander III. at Stirling, 20 January 1275-76, and ratified (to John Kennedy) by King Robert II. one hundred years later, at Ayr, 1 October 1372 (*see post*, p. 445). *Reg. Mag. Sig.*, fol. ed., 114, 115. [4] *Exchequer Rolls*, i. 28. [5] *Cal. Docs. Scot.*, ii. No. 42; iii. No. 39. [6] *Carte Monialium de Northberwic*, 23, 24. [7] *Scot. Armorial Seals*, by W. R. Macdonald, No. 380; *Cal. Docs. Scot.*, ii. 205. [8] *Acta Parl. Scot.*, i. 449.

had betrayed to them Christopher Seton, brother-in-law of the King. But as the King understands this was falsely imputed to Gilbert, he reinstates him with all authority.[1] He left issue:—

(i) *Gilbert* de Carrick, who as son and heir of the late Sir Gilbert de Carrick received a charter, which must be dated between 1315 and 1333, from Malcolm, Earl of Lennox, of the lands of Buchmonyn, Blairfod, and other lands.[2] It may be added that about 1393 Sir Gilbert Kennedy of Dunure (*see title* Cassillis) granted the lands of Buchmonyn to his cousin or kinsman John Kennedy, son of Fergus Kennedy. He appears to be the Sir Gilbert de Carrick who was taken at Durham in 1346. He had from John Leane (or Lany) a grant of the lands of 'Buchan,' co. Stirling, confirmed to him by King David II. He had from the same King a liferent grant of the office of coroner, between the waters of Ayr and Doon, and of the lands of 'Buchanan,' co. Stirling.[3] He appears as witness to three charters by Donald, Earl of Lennox, who flourished between 1333 and 1364,[4] and beyond these there is no further trace of him.

ii. *Roland* de Carrick, who on 30 March 1308, is described by a jury as son and heir of Matilda de Carrick, and is stated to be thirty years of age and upwards. In terms of this he did homage for her lands in England. In 1310 he is again referred to as her son and heir.[5] Nothing further is known of his history, but he may have been the father of

(i) *Malcolm*, son of Roland, who in or before 1371 granted a charter to John Kennedy of Dunure of the lands of Treuchane and Kenechane, in the parish of Kirkmichael, Ayrshire. His seal bears an eagle displayed with two heads. Legend, S. Malcolm. Fil. Roland.[6]

iii. A daughter, married to Arthur, the Castellan of Lochdoon, who surrendered that fortress to the English, apparently about October 1306.[7]

3, 4. *Alexander* and *Allan*, are named as sons of Earl Duncan.[8] Alan is in one writ designed Parson of 'Kirkemanen' and of Straiton.[9]

[1] *Reg. Mag. Sig.*, fol. ed., 115. [2] *Cartularium de Levinax*, 43, 44. [3] Robertson's *Index*, 39, 40, 41, 46, 48. The lands of Buchan and Buchanan are probably identical, and John Lany, the laird of the estate of Leny, afterwards held by the Buchanans. [4] *Cartularium de Levinax*, 56, 58, 93. One of these charters was confirmed by King David II. on 26 January 1370-71; *Reg. Mag. Sig.*, fol. ed., 77. [5] *Cal. Docs. Scot.*, iii. Nos. 39, 179. [6] Original in Culzean Charter-chest; cf. *Scot. Armorial Seals*, No. 381. [7] Cf. *Reg. Mag. Sig.*, fol. ed., 115; and *Cal. Docs. Scot.*, ii. Nos. 1819, 1845. [8] *Carte de Northberwic*, 13, 14. [9] *Liber de Melros*, i. 170.

II. Neil, second Earl of Carrick, who was also called Nicol and Nicolaus,[1] was a great benefactor to the Church, particularly to the monasteries of Crossraguel,[2] and to Sandale in Kintyre.[3] A commission was granted by Henry III. in 1255 for receiving Neil, Earl of Carrick, and other Scotsmen into his protection, and he was one of the Regents of Scotland, and Guardians of Alexander III. and his Queen, appointed in the English interest at a convention at Roxburgh, 20 September 1255.[4] Previous to his death in 1256, he granted a charter to Sir Roland de Carrick,[5] who succeeded him in some of his lands, constituting him and his heirs head of the whole clan, as already stated.

Neil, Earl of Carrick, died in the year 1256. He is said to have married Margaret, daughter of Walter, High Steward of Scotland.[6] He had issue four daughters, but only Margaret or Marjorie, the eldest, who succeeded him as Countess of Carrick, is known to history.[7] His daughter,

III. Margaret or Marjorie, Countess of Carrick, married first, Adam de Kilconcath, who, in her right, was third Earl of Carrick.[8] Engaging in the Crusade 1269, he went to the Holy Land under the banners of Louis IX. of France, and died at Acre, in Palestine, 1270.[9] By him Marjorie had no issue. The next year, 1271, the widowed Countess happening to meet Robert Bruce, son of Robert Bruce, Lord of Annandale and Cleveland, hunting in her domains, she became enamoured of his personal charms, and with some violence led him to her castle of Turnberry, where they were married in a few days, without the knowledge of their relations, or the requisite consent of the King. Alexander III. instantly seized her castle and estates, but she afterwards atoned for her delinquency by a fine.

[1] Crawfurd's *Peerage*, 70. [2] *Fœdera*, vol. i. chap. ii. 2. [3] *Caledonia*, iii. 486, 530. [4] *Cal. Docs. Scot.*, i. Nos. 1987, 1983, 2013, 2015. [5] *Reg. Mag. Sig.*, fol. ed., 115. [6] Duncan Stewart's *History of the Stewarts*, 49. [7] Palgrave's *Historical Documents*, 40. She is said to have been his only legitimate daughter, but in the pleadings of the Competitor in 1291, where alone her sisters are referred to, she is simply said to be the eldest of four. [8] Suth. Add. Case, v. 19, *m*; cf. *Laing Charters*, No. 8. [9] *Dalr. Ann.*, i. 192; Fordun, ii. 114.

Robert Bruce was then recognised as Earl of Carrick in right of his wife. The Countess died in 1292, before 27 October. (*See also* pages 428, 429.)

CREATION.—Between 1225 and 1230.

ARMS.—Gilbert Fitz-Roland bore on his seal a chevron between nine cross crosslets fitchée.

[J. A.]

BRUCE, EARL OF CARRICK

ADELM (or ADAM) DE BRUS, is said to have been the second son of Robert de Brus, a Norman knight, and Emma, daughter of Allan, Earl of Brittany. He is also said to have come to England before his father, perhaps as a page to Queen Emma, daughter of Richard, Duke of Normandy, and widow of King Ethelred II. and King Canute. Sir George Mackenzie states that after that Queen's death he came to Scotland and got a grant of the lands of Bowden from Malcolm Ceannmor,[1] but this is very doubtful, and there does not appear to be any record evidence for it. On William the Conqueror's invasion of England he joined that King, with whom his father had also come. His services were rewarded with a grant of the barony of Skelton and lordship of Cleveland, in Yorkshire. He died about 1080; he is said to have married Emma, daughter of Sir William de Ramsay, but this also is doubtful. He left issue, so far as is known:—

1. ROBERT.
2. *William*, the first Prior of Gisburne, who was buried there, 1155.

ROBERT DE BRUS succeeded his father in the barony of

[1] Notes in Advocates' Library.

Skelton. There has been much confusion about this Robert through Dugdale confounding him with his grandfather, who bore the same name. He became a very powerful Baron, having no less than ninety-four lordships in Yorkshire, summed at fifteen knights' fees. He was a liberal benefactor to the Church, and along with the Earl of Huntingdon (afterwards David I.) founded the Abbey of Selkirk, afterwards removed to Kelso. He had charters from David I., *circa* 1124, of the lands of Estrahanent, or Annandale.[1] He married Agnes, daughter of Foulk de Paganell,[2] and got with her the manor of Careton, in Yorkshire, and other lands. Of a second alleged marriage to Agnes de Annand there is no proof. He died in May 1141,[3] leaving issue:—

1. *Adam*, who succeeded in Skelton.
2. Robert, surnamed 'le meschin,' who succeeded in Annandale.
3. *Pagan*, supposed to have been the founder of the family of Bruce of Pickering.
4. *Agatha*, married to Ralph, son of Ribald, Lord of Middleham.[4]

Robert de Brus, 'le meschin' or the younger, the second son of his father, got from him his Scottish possessions of Annandale just before the battle of the Standard in 1138; they were both present at that engagement, but upon different sides, though the young possessor of Annandale was only fourteen. He is said to have been taken prisoner by his own father, who sent him to King Stephen, but that monarch courteously remitted him to his mother at Skelton. The whole affair was probably a family arrangement to prevent the lands, in the case of either side winning, from going out of the family by forfeiture. Robert de Brus had a grant of certain lands in Durham from his father, on a complaint made by him that he had no wheaten bread in Annandale; he had also a confirmation of the last-named territory from William the Lion, dated at Lochmaben, *circa* 1166.[5] Brus married a lady

[1] *Nat. MSS.*, i. p. xix; Fraser's *Annandale Book*. [2] Cf. *Cal. of Docs.*, i. No. 34. [3] *Annandale Book*, i. p. xi. [4] Her father's seal attached to her marriage settlement is given in Gale's *Richmond*. [5] *Cal. of Docs.*, i. No. 105.

whose Christian name was Euphemia.[1] He died in 1194,[2] leaving issue at least two sons:—

1. *Robert*, married in 1183 Isabel, natural daughter of King William the Lion by the daughter of Robert Avenel.[3] He died *s. p.* before his father in 1191, in which year his widow married Robert de Ros.
2. WILLIAM.

WILLIAM DE BRUS succeeded his father in Annandale about 1194. His wife's name was Christina, who survived him and married, after his death in 1215, Patrick, Earl of Dunbar, as his second wife.[4] He had issue:—

1. ROBERT.
2. *William*.
3. *John*.[5]

ROBERT DE BRUS, surnamed 'the noble,' was one of the 'magnates Scotie' who witnessed the marriage of King Alexander II. with Johanna, sister of Henry III., at York. He married Isabel, second daughter of David, Earl of Huntingdon, younger brother of King Malcolm IV. and King William; it was through this marriage that the succession to the Crown of Scotland came into the family of Bruce. Isabel became, in 1237, one of the co-heirs of her only surviving brother, John le Scot, in the earldom of Chester; but as this possession was seized by King Henry III., she was granted by him the manors of Hertfield and Wrettle, in Essex, and it was at a residence in the former parish that Brus and his wife chiefly resided. The former died 1245, and the latter, who was born 1206, died *circa* 1251.[6] They were both buried at Saltre Abbey, near Stilton. They had issue:—

1. ROBERT, 'the Competitor.'
2. *Beatrice*, who in 1221 was the wife of Hugo de Neville.

ROBERT DE BRUS was born in 1210, and at the Convention at Roxburgh in 1255 he was appointed one of the Counsellors and Guardians to the King.[7] He served on the side

[1] Orig. charter, No. 2, in H.M. Reg. Ho. [2] Cf. *Cal. of Docs.*, i. No. 197. [3] *Chron. de Melros*, 92, anno 1183. [4] *Cal. of Docs.*, i. No. 700. [5] *Fourth Rep. Hist. MSS. Com.*, 443. [6] *Cal. of Docs.*, i. No. 1869. [7] *Acta Parl. Scot.*, i. 119.

of King Henry III. in the wars of the Barons, and after the battle of Evesham was appointed Governor of Carlisle Castle and Sheriff of Cumberland.[1] After the death of King Alexander III. in 1286, the Maid of Norway was, in default of heirs-male, proclaimed at Scone as *Reine Heretière* and successor to her grandfather, she being then three years of age. Robert de Brus, however, assembled his friends and relations at Turnberry Castle, 20 September 1286, and set forth his claims to the Crown, saying that he could prove by witnesses then living that King Alexander III. of Scotland, when childless, had declared him heir-presumptive to the Crown; that a female was incompetent to reign, and that his cousin, Devorgilla, the daughter of Margaret, the eldest daughter of David, Earl of Huntingdon, the common ancestor of many of the claimants, should be set aside in favour of himself, the son of Margaret's immediate younger sister, Isabella. This claim, however, was temporarily suspended, owing to the recognition of the Maid of Norway; but in 1290, on the death of that Princess, Brus re-asserted it, and took active steps towards having himself proclaimed King. This was stopped by the influence of Edward I., and ultimately Brus retired to his Castle of Lochmaben, and agreed that his claim should be tried along with those of the other Competitors by Edward as arbiter. After the award of the Crown to Baliol, Robert de Brus resigned to his son, Robert, Earl of Carrick, all his claim to the Kingdom of Scotland. This was on the morrow of St. Leonard, 5 November 1292.[2] He was an old man by this time, and only lived a few years longer, dying before 3 May 1294. He married, first, in or before 1240, Isobel, second daughter of Gilbert de Clare, third Earl of Gloucester and Hereford.[3] She was born 1226,[4] and was only thirteen when married. By her, who was alive in 1284, he had issue:—

1. Robert, who became Earl of Carrick.
2. *William*, married Elizabeth, daughter and heir of Raymond de Sully.
3. *Sir Bernard* of Connington and Exton, married, first, Alicia de Clare, and, secondly, Constance de Morleyn.

[1] *Cal. of Docs.*, i. No. 1994. [2] *Ninth Rep. Hist. MSS. Com.*, pt. ii. 367. [3] *Cal. of Docs.*, i. No. 1498. [4] Hodgson's *Northumberland*, iii. 2.

4. *Richard*, died before 26 January 1286-87,[1] and his lands were re-pledged to Robert Brus, his father.[2]

Robert de Brus, 'the Competitor,' married, secondly, before November 1275, Cristiana, daughter of Sir William de Ireby, and widow of Thomas Lascelles and of Adam de Gesemuth.[3] She had no issue by her third husband, whom she survived, but was dead in September 1305.[4]

Robert Bruce, eldest son of 'the Competitor,' married, as her second husband, Marjorie, eldest daughter and heiress of her father Neil, Earl of Carrick, and so became Earl of Carrick *jure uxoris*. Their meeting has been differently related by various authors, but the main features of the story are always the same. On Bruce's arrival at Turnberry to convey to the lady the news that her husband, Adam de Kilconquhar, had been slain at Acre, he met the child widow hawking with her attendants. Having delivered his message he was preparing to take leave, when she ordered her retainers to take him a prisoner to her castle, where, after an honourable captivity of a few days, they were married.[5] These hasty and unauthorised espousals were nominally disapproved by the King, and a fine imposed. But as she could hardly have chosen a more unexceptionable husband, the pair were soon received into royal favour. The Countess Marjorie died in 1292, and Bruce, refusing to do homage to Baliol, handed over the earldom to his son (afterwards Robert I.), and retired to Norway with his daughter Isabella[6] for a time. On his father's death in 1294 he returned to England and had livery of his father's lands there, and was appointed Governor of the Castle of Carlisle.[7] He was summoned to the English Parliament as a baron (Lord Bruce) on 24 June 1295. He and his son Robert swore fealty to Edward 28 August 1296. He accompanied that monarch in his expedition to Scotland against Baliol in 1296, but on his

[1] *Cal. of Docs.*, ii. No. 309. [2] In addition to the above children, Dugdale mentions a son John, and Drummond, in *Noble British Families*, gives the names of two daughters, Aloysia and Isobella, married respectively to Sir Nigel Graham of Montrose and John Fitzmarmaduke. There does not, however, appear to be any record evidence of their existence. [3] *Cal. of Docs.*, ii. No. 826; *see also* p. 369 *ante*. [4] *Ibid.*, 43, 51, 1690. [5] *Chron. de Mailros*, 219. [6] *Patent Rolls*, 20 Edw. I. M. 4. [7] *Ibid.*, 23 Edw. I. M. 5.

claims to the throne being scouted by Edward, he again retired to England, residing chiefly at Broomeshoobury.[1] He died shortly before 4 April 1304,[2] and was buried at Holm Cultram. He had married as a second wife Alianora . . . who is mentioned as his widow in 1305,[3] and she married, in 1306, Richard de Waleys.

By the Countess Marjorie he had issue:—

1. Robert, afterwards King Robert I.
2. *Edward*, of whom hereafter.
3. *Thomas*, was wounded and taken prisoner by Sir Dougal MacDowal at Lochryan, and was brought by him to Carlisle Castle, where he was executed by order of King Edward I. 1306-7.[4]
4. *Alexander*, suffered the same fate at the same time as his brother. It is said he was a learned man, had been educated at Cambridge, and was Dean of Glasgow.[5]
5. *Sir Nigel*, sometimes called Neil, described as *miles pulcherrime juventutis*. After holding the Castle of Kildrummie for his brother, along with the Earl of Atholl, the fortress was set on fire, and he was compelled to surrender in September 1306. He was taken to Berwick, and there executed.
6. *Isobel*. She is generally said to have married Sir Thomas Randolph of Strathdon, Great Chamberlain to Alexander III., and to have been the mother by him of King Robert's faithful lieutenant Thomas Randolph, Earl of Moray, but against that statement there are the following facts: if King Robert (according to Lord Hailes[6]) was born in 1274, and was eldest of his family, it is most improbable that Sir Thomas Randolph, who was a knight in 1306,[7] could be the son of a woman born later, or even a year or two earlier than King Robert. But Isobel was certainly married to Eric, King of Norway, as his second wife; for on 20 September 1292 Robert de Brus, Earl of Carrick, with his daughter Isabella,

[1] Morant's *Essex*. [2] *Cal. Docs. Scot.*, ii. No. 1493. [3] *Ibid.*, Nos. 1720, 1750. [4] Chancery Miscellaneous Portfolios, No. 11. Brit. Museum Add. MSS., 923. [5] Langtoft, ii. 336. [6] *Annals*, i. 219. [7] *Cal. of Docs.*, ii. No. 1807.

had a safe-conduct to go to Norway,[1] and it was doubtless during his visit that the marriage was arranged. On 25 September 1293 certain articles of furniture, wardrobe, plate, regalia, crowns, etc., were delivered at Bergheim by the envoys of Robert de Brus, Earl of Carrick, 'for the use of the serene Lady Isabella de Brus, Queen of Norway,'[2] so that she must have been married to the King, Eric I. (whose first wife was the Princess Margaret of Scotland), between September 1292 and September 1293. Supposing Isobel to have been born about 1275, she would at this time have been only eighteen or nineteen years of age, and therefore unlikely to have been previously married. There is no foundation for the alleged second and third marriages of Isobel to an Earl of Atholl and an Alexander Bruce.[3]

7. *Mary.* She was taken prisoner in 1306 with her sister Christina, her sister-in-law Elizabeth, wife of King Robert, and her daughter Marjorie. They were confined by Edward's orders in 'Kages' in Roxburgh Castle,[4] though the story that they were suspended in them outside the walls of the castle seems to be an exaggeration, as they had servants and other little comforts provided.[5] She was still a prisoner at Newcastle on 25 June 1312, fourpence a day being paid for her expenses,[6] though negotiations had been going on for her exchange for some time before.[7] Mary married, first, Sir Neil Campbell of Lochow, ancestor of the house of Argyll; and second, about 1316, Sir Alexander Fraser, Great Chamberlain of Scotland, ancestor of the family of Philorth. She died before 22 September 1323.[8]

8. *Christina*, married, first, to Gratney, Earl of Mar, and secondly, to Christopher de Seton. She is described as widow of the latter on 15 March 1306-7, when she receives threepence a day for her expenses, and a mark yearly for her dress during her imprisonment, she

[1] *Patent Rolls*, Ed. I. M. 4. [2] *Cal. of Docs.*, ii. No. 675. [3] *Exch. Rolls*, i. p. cxxxiv. [4] *Cal. of Docs.*, ii. No. 1851. [5] Lang's *Hist. of Scotland*, i. 208. [6] *Cal. of Docs.*, iii. No. 340. [7] *Ibid.*, Nos. 131, 244. [8] *The Frasers of Philorth*, by Lord Saltoun, i. 69-72; Robertson's *Index*, 17, No. 51.

having been taken captive along with her sister Mary.[1] She was still a prisoner in 1314.[2] After her release she married, thirdly, Sir Andrew Moray of Bothwell: a dispensation for his marriage, dated 12 October 1326, was granted by Pope John XXII., the parties being within the fourth degree of consanguinity. In 1335 she made a gallant defence of her castle of Kildrummie against the Earl of Atholl and the English party, till relieved by Sir Andrew Moray and Sir William Douglas of Liddesdale. Fordun says[3] that she died in 1357, a statement which is borne out by the last mention of her in the Exchequer Rolls.

9. *Matilda* or *Maud*, married, as his second wife, to Hugh, Earl of Ross, about 1308, and died before 1329.
10. *Margaret*, married to Sir William de Carlyle.[4] They had a grant from Robert I. of the lands of Crunzanstoun.[5]

ROBERT DE BRUCE, 'le jeune Comte de Carrick,' born 11 July 1274; he became Earl of Carrick 27 October 1292, on his mother's death and father's resignation of the title. On the death of his father in 1304 he became Lord of Annandale, and inherited the Garioch and other possessions in Scotland, certain lands in Durham, besides large English estates which came through his great-grandmother Isobel, daughter of David, Earl of Huntingdon. These estates were confiscated by Edward I. in 1306. Bruce also succeeded to the English Peerage of Baron Bruce. He was crowned King of Scots at Scone 27 March 1306, and died 7 June 1329. An account of the wives and children of Robert de Bruce will be found under the title Kings of Scotland.[6] On his assuming the sovereignty of Scotland the earldom of Carrick became merged in the Crown.

EDWARD DE BRUCE, the immediate younger brother of Robert I., had a charter from that King creating him EARL OF CARRICK, with remainder to the heirs-male of his body.[7] The date of this charter cannot be ascertained, but it was probably between 1 March 1312-13, when Edward Bruce is styled Lord of Galloway, and 24 October same

[1] *Cal. of Docs.*, ii. No. 1910. [2] *Ibid.*, iii. No. 371. [3] Fordun à Goodall, ii. 369. [4] *See ante*, p. 375. [5] Crawfurd's *Peerage*, 66; *Reg. Hon. de Morton*, ii. 71. [6] Vol. i. p. 8. [7] *Reg. Mag. Sig.*, fol. ed., No. 45, p. 10.

year, when he appears as Earl of Carrick.[1] Having been invited to expel the English from Ireland, he landed at Carrickfergus with a large army, and after a successful campaign was crowned King of Ireland 2 May 1316,[2] but was ultimately defeated and slain by the English at the battle of Dundalk, 14 October 1318.[3] On 1 June 1317 a dispensation was granted by Pope John XXII. permitting the Earl of Carrick to marry Isabella, daughter of William Earl of Ross, notwithstanding their being within the third and fourth degrees of consanguinity,[4] but it is doubtful if the marriage actually took place. He had a son *Alexander* (*see below*) by Isabel of Atholl, sister of David de Strathbogie, Earl of Atholl, his relations with whom caused a quarrel between the two earls.[5] He is generally said to have left three illegitimate sons, Robert, Alexander, and Thomas, who successively became Earls of Carrick, but this is a mistake. Robert never existed, or has been confounded with a son of King Robert of that name; Alexander did become Earl of Carrick, as will be mentioned hereafter, but Thomas never held the title, while it is not certain that he was a son of Edward, though there can be no reasonable doubt that he was the progenitor of the Bruces of Clackmannan.[6] (*See title* Elgin.)

DAVID DE BRUS, the elder son of King Robert I. by his second wife, Elizabeth de Burgh, was created EARL OF CARRICK previous to his marriage on 17 July 1328,[7] when he was in his fifth year. He succeeded to the throne in the following year as David II. (*See* Kings of Scotland.)

ALEXANDER DE BRUS was a son of Edward, Earl of Carrick, by Isabel, sister of David, Earl of Atholl, though he cannot have been legitimate, otherwise he would have succeeded to the earldom on his father's death. He had various charters from Robert I., some of them granted in

[1] Charter to Arbroath in Gen. Reg. Ho., 1 March 1312-13; *Antiquities of Aberdeen*, etc., iii. 210. [2] *Nat. MSS.*, ii. 16, No. 23; *Scotichron.*, ii. 251; bk. xii. c. 25. [3] Fordun, *Annals*, 133, and other authorities quoted in Dunbar's *Scottish Kings*, 135, note 39. [4] Andrew Stuart's *Genealogy of the Stewarts*, 427. [5] Barbour's *The Brus*, Spalding Club ed., 311, 312. Barbour says Isobel of Atholl was Edward's wife, but this is doubtful. [6] *Exch. Rolls*, i. cxxxi. [7] *Ibid.*, i. p. cxliii.; Dunbar, *Scottish Kings*, 146, and authorities there quoted.

the first instance to his mother.[1] He married Eleonora, sister of the first Earl of Douglas, and was created EARL OF CARRICK shortly before his death, which occurred at the battle of Halidon Hill in 1333.[2] His widow married, secondly, James Sandilands of Calder; thirdly, William Towers of Dalry;[3] fourthly, before October 1573, Sir Duncan Wallace of Sundrum, and fifthly,[4] Sir Patrick Hepburn of Hailes. For the latter marriage there was a dispensation by Pope Gregory XI. dated 18 March 1376, on account of Agnes, the deceased wife of the said Patrick, having been in the fourth degree of consanguinity to Eleonora.

CREATIONS.—*Circa* 1313, Sir Edward de Bruce, Earl of Carrick; 1328, David de Bruce, Earl of Carrick; *circa* 1332, Alexander de Brus, Earl of Carrick.

ARMS.—The Bruces of Skelton bore, argent a lion rampant azure; but when the family came north the Lords of Annandale bore, or a saltire and chief gules. Robert de Brus, first Earl of Carrick, *jure uxoris*, had a seal with the last-mentioned coat, and he had another in which the chief was charged with a lion passant.

[J. B. P.]

[1] Robertson's *Index*, 13, No. 90; 18, Nos. 65 and 83; 25, Nos. 15, 16, and 17. The designation of Isabella, Countess of Atholl, which occurs in one of these charters is an error; in an independent MS. Index in the General Register House of Edinburgh she is styled simply Isobel de Atholia. [2] *Exch. Rolls*, i. p. cxxxii, and authorities there cited. [3] *Ibid.*, 51. [4] *Reg. Mag. Sig.*, folio vol. No. 37.

STEWART, EARL OF CARRICK

JOHN STEWART, afterwards King of Scotland, under the title of Robert III., was the eldest son of Robert II. by his wife Elizabeth More, and was born about 1337. On 22 June 1368 he had a grant of the earldom of Carrick to himself and his wife Annabella Drummond, and sat under the title EARL OF CARRICK in the Parliament at Perth 23 October 1370.[1] Subsequent to his father's accession to the throne he obtained, 1 June 1374, a new charter of the earldom to himself and his wife Annabella in liferent and to the sons procreated or to be procreated between them in fee.[2] He succeeded his father as King 19 April 1390, and the title again merged in the Crown. (*See title* Kings of Scotland.)

DAVID STEWART, eldest son of King Robert III., was born 24 October 1378; he was probably created EARL OF CARRICK shortly after his father's succession to the throne, as he is styled 'Comes de Carrick' in a charter to Sir David Lindsay of Glenesk 2 January 1390-91.[3] He

[1] *Acta Parl. Scot.*, i. 537. [2] *Reg. Mag. Sig.*, folio vol. 108, No. 61.
[3] *Ibid.*, folio vol. 189, No. 21.

was subsequently (28 April 1398) created DUKE OF ROTHESAY, and, 28 April 1398, got the earldom of Atholl by charter from his father on 6 September in that year.[1] He married, in 1400, Mary, daughter of Archibald, third Earl of Douglas, and died without issue 26 March 1402. (*See title* Rothesay.)

JAMES STEWART, third, but first surviving, son of Robert III. He had a charter from his father on 10 December 1404 of the earldom of Carrick, together with the lands of the Stewart of Scotland, but for his life only; these lands were erected into a Regality.[2] He is generally designated, however, PRINCE or STEWARD OF SCOTLAND, probably considered a higher title than EARL OF CARRICK. On 4 April 1406 he succeeded to the throne as James I., and the title merged in the Crown.

By Act of Parliament 22 November 1469 the earldom of Carrick was with other lands annexed 'ad jus et proprietatem nostre corone regis et principibus primogenitis nostris successoribus et ad usus proprios absque processu quocunque,'[3] since which time the title has been an appanage of the eldest son of the King.

[A. F. S.]

[1] *Exch. Rolls*, iv. p. clxxi, and Harleian MSS., 4694-5. Cf. also *Reg. Mag. Sig.*, fol. vol. 226, No. 13. [2] Old copy among Principality Charters in Gen. Reg. House. [3] *Acta Parl. Scot.*, ii. 187.

STEWART, EARL OF CARRICK

JOHN STEWART, was second surviving son of Robert, Earl of Orkney, an illegitimate son of King James v. He is not mentioned in the grant of the earldom of Orkney to his father 9 June 1585,[1] the remainder being *nominatim* to his brothers Henry, Patrick, James, and Robert and the heirs-male of each, James and Robert being expressly called third and fourth sons. This omission is curious, as when Patrick, Earl of Orkney, obtained a charter of the same earldom 1 March 1600,[2] the remainder, after the heirs-male of his own body, is to his *second* brother John Stewart and his heirs-male, and on 14 February 1601,[3] John Stewart as Master of Orkney obtained a grant of the lands of part of Wester Tarbert *pro bono servitio*. He was acquitted in 1596[4] of the serious charge that he had, in 1593, consulted with Margaret Balfour, who had been executed as a witch, for the destruction of his brother Patrick, Earl of Orkney, by poisoning. It was said that he had conspired with his brothers James and William against the Earl's life. His servitor, Thomas Papla, captured with poison on him by the Earl, had also

[1] *Reg. Mag. Sig.* [2] *Ibid.* [3] *Ibid.* [4] Pitcairn's *Criminal Trials*, ii. 373-377.

been executed, but as Margaret Balfour and Papla both left depositions that they withdrew their testimony, the former on the ground that it was forced from her by fearful torture, the prosecution failed. Douglas, quoting Carmichael's *Tracts* (29), states that when he was created, on 10 August 1607,[1] LORD KINCLAVEN, it was 'without mention of aires.' In 1619 he got a licence to make and sell new kinds of earthenware vessels.[2] He got a grant of the lands and mill of Crossregal and others 29 August 1616,[3] part of the earldom of Carrick, and was created by King Charles I., by patent dated 22 July 1628, EARL OF CARRICK. This title was impugned when the Earl's procurator delivered the patent under the Great Seal to the Earl of Mar in Council; Sir Thomas Hope, the King's advocate, out of the duty of his office reminding the Council that the title and style of Earl of Carrick was the proper title of 'the King his eldest son and Prince of Scotland,' that it had been borne by the King himself, his brother Prince Henry, and that it had been 'bruiked' by all the Princes of Scotland since the days of King Robert Bruce,[4] and the Council on this thought that the King should be communicated with. It has been suggested[5] that the objection was removed by Lord Kinclaven pointing out that the title he had assumed was derived from Carrick in Orkney and not Carrick in Ayrshire. The difficulty was certainly obviated, for on 14 December 1630 the Chancellor delivered to the Earl of Carrick the patent under the Great Seal to create him and 'the aires-maill gottin of his awne bodie Earlis of Carrik,[6] and ordained the said Earl to have the extract of the first act anent the production of the said patent and precedence accordingly. He was present at the funeral of King James VI. in London,[7] and had a pension from him of 3000 pounds Scots 'for service done.'[8] He had a charter of the lands and barony of Eday including Carrick in Orkney to himself and his heirs-male, 14 January 1632-33,[9] and in 1630 was a Commissioner of Fisheries.[10] He had a charter of the lands of Easter and Wester Corstorphine, 14 June 1634,[11] to himself and his heirs, and died

[1] Cf. Crawfurd's *Family of Stewart*, 38. [2] *P. C. Reg.*, xi. 604-633. [3] *Reg. Mag. Sig.* [4] *P. C. Reg.*, 2nd ser., ii. 391, 392, 395. [5] Wood's Douglas, i. 323. [6] *P. C. Reg.*, 2nd ser., iv. 92. [7] Balfour's *Annals*, ii. 117. [8] *P. C. Reg.*, 2nd ser., i. 202. [9] *Reg. Mag. Sig.* [10] *Ibid.* [11] *Ibid.*

between 1639, when he subscribed the Covenant, and 6 April 1649, when in a charter of Eday in Orkney Sir James Stewart of Tullos is styled brother and heir of the deceased John, Earl of Carrick.[1] The earldom seems to have become extinct, at least Crawfurd[2] says 'so much as I know, the dignity at present is not claimed by any.' He married at Chelsea, 26 October 1604,[3] Elizabeth, daughter of Charles Howard, Earl of Nottingham, widow of Sir Robert Southwell. She was buried at Greenwich, 31 January 1645-46, and her administration dated 3 March 1645-46, 12 August 1651, and 21 February 1653-54,[4] and by her he had a daughter:—

Margaret Stewart, married to Sir John Mennes, Knight, and was ancestress of the family of Lord Willoughby de Broke.[5]

He is stated to have had a natural daughter, married to William Craigie of Gairsay, who died in 1657,[6] and

He had a natural son:—

Henry Stewart, who received a grant of certain lands in Eday from his father in 1639.[7]

ARMS.—Pont's MS. gives the following:—Quarterly, 1st and 4th, or, a lion rampant within a double tressure flory counterflory gules, all within a bordure company argent and azure: 2nd and 3rd, argent, a ship, her raes in cross or.

CREST.—A prince sitting on a chair of state clad in ancient habit, holding a sceptre or in the dexter hand, and a goshawk in the sinister, proper.

SUPPORTERS.—These are not given by Pont, but are stated by Rietstap (*Armorial Général*) to be the same as those of the Earl of Orkney. These again are given in the Forman (Lyon Office) MS. as: Dexter, a unicorn argent, horned and gorged with an open crown or; sinister, a griffin proper beaked and membered azure and gorged or.

MOTTO.—*Sic fuit est et erit.*

[A. F. S.]

[1] *Reg. Mag. Sig.* [2] *Family of Stewart*, 38. [3] Wood's Douglas; Lyson's *Environs of London* (*Chelsea*). [4] *Complete Peerage.* [5] Wood's Douglas, i. 323. [6] Stodart's *Scottish Arms*, ii. 203. [7] *Orkney Sasines.*

Cassillis

KENNEDY, EARL OF CASSILLIS

THE family of Kennedy are traditionally believed to be descended from the ancient Earls of Carrick. The evidence is not wholly conclusive, but there is one very important point in favour of tradition, the Chieftainship (Ceann-cineal), first granted to Roland de Carrick (*see ante*, p. 424) in 1256, and repeatedly confirmed to this family. It is well-known that the old Celtic chieftainship could only go in the male line, which was one of the reasons which led the House of Lords in 1762, to adjudge the title of Earl of Cassillis to Sir Thomas Kennedy of Culzean as heir-male of the body of David, first Earl of Cassillis. The custody of Loch Doon Castle, held by the de Carricks, is also again and again confirmed to the Kennedies.

The name Kennedy seems clearly derived from Kenneth, a common name among both Pictish and Scottish Kings, and which is spelt in many different ways as Kenneth, Kened, Cinaed, Cinaeda, Kynedus, Kenedus, Kynel.[1] Kenneth in Gaelic, Cinaed or Cainnig, seems itself to be a name signifying chief. The modern Gaelic of Kennedy is Ceannadach, 'ach' being an adjectival termination signifying of or belonging to; so Ceannadach means of or belonging to Ceannad.

[1] *Chron. Picts and Scots*, *per* Index, and pp. 441, 442, 469, 471; *Irish Histories*, Skene, iii. 485.

The Kennedys certainly appear at a very early period in Carrick, in Galloway, and also in the Lennox, and in the earliest notices of the name it takes the form of MacKenede, or the son of Kenneth. *Henry Kennedy* (or MacKenede) is named in 1185 as one of the leaders and instigators of rebellion in Galloway, and fell in battle on 5 July 1185, fighting against the men of Roland, Lord of Galloway.[1] Other persons of the name of Kennedy appear at early dates in the Carrick district, and a Sir Hugh Kennedy possessed the lands of Kirkintilloch in Lanarkshire in 1296.[2]

The first direct ancestor of the Earls of Cassillis from whom there is undoubted and unbroken proof of descent is

JOHN KENNEDY OF DUNURE, who is probably the John Kennedy commemorated by Fordun and Wyntoun as sturdily fighting in Carrick against the Galloway men or the supporters of Edward Baliol in the year 1346,[3] before the English domination was finally overcome. He is evidently the John McKennedy, who is named by King David II. in a charter anent the clan of Muntercasduf, and John McKennedy captain thereof,[4] the date of which may be about 1345 or 1346, at least before the battle of Neville's Cross. Whoever he was, he was sufficiently prominent in 1354 to have his son and heir named as a hostage for King David II.,[5] and Gilbert his eldest son did become a hostage in 1357.[6] Some years later he acquired the lands of Castlys (or Cassillis) from Marjorie Montgomerie, cousin and heiress of Christian Montgomerie, either by purchase or through marriage.[7] In 1361 he received, apparently as a gift from the King, the contributions due to the Crown from the sheriffdom of Wigtown, part of Galloway, and in 1367, he was acting as steward of the earldom of Carrick.[8] It is possible that he was the John Kennedy of Glasgow diocese who, on 10

[1] Fordun à Goodall, i. 490. [2] *Rot. Scot.*, i. 29b. He and Sir Alexander Kennedy, Canon of Glasgow, are both mentioned in the Ragman Roll as having an interest in Kirkintilloch. [3] Fordun à Goodall; Wyntoun, Laing's ed., ii. 477. [4] Robertson's *Index*, 57. Munter-cas-duf (in Gaelic 'Muinntir cas dubh'), people of the black feet, so called because the members of the clan wore hide foot-coverings with the hair outside. Who this clan consisted of is not known. The parish of Kirkmichael in Carrick was formerly called Kirk-michael Munter-casduf or Munterduffy. [5] *Cal. Docs. Scot.*, iii. No. 1576. [6] *Ibid.* [7] Culzean Charters, Nos. 5 and 6; cf. *Charters of Crossraguel Abbey*, by F. C. Hunter-Blair, Esq., i. 20. [8] *Exch. Rolls*, ii. 75, 293.

February 1364-65 received papal letters rehabilitating his children that they might hold church benefices, they having been disqualified because he had caused a priest to be slain, who had slandered him to King David.[1] On 29 November 1366, he gave a bond to Queen Margaret Drummond, the second wife of King David II., and to her son John Logie of Logie, that he would aid them and warn them of treachery intended against them within the kingdom of Scotland, and chiefly within the lordship of Annandale.[2] In 1370[3] he acquired one half the barony of Dalrymple from Malcolm son of Gilchrist, son of Adam Dalrymple, and in 1376 he obtained the other half from Hugh, son of Roland Dalrymple.[4] In 1370 also Malcolm, son of Roland of Carrick, gave him the lands of Treuchan and Kennochen in Kirkmichael parish or Kyrkmichel Munterduffy, to use the name given in the charter, to which charter the seal of Malcolm is attached.[5] Between 1370 and 1380 John Kennedy was witness to a charter of the lands of Blairquhan to Roland Kennedy, who in a writ dated between 1386 and 1400 styles Sir Gilbert Kennedy of Dunure *patruus*, and must therefore have been a nephew or near kinsman of John.[6]

He was present and did homage to King Robert II. at his accession,[7] and that monarch, at a visit to Ayr in October 1372, repeated to him two very important grants. These were first the charter by Neil, Earl of Carrick, granting to Roland of Carrick the headship of the clan, already described under the title of Carrick, p. 424 *supra*; secondly, the remission to Gilbert of Carrick, son of Roland, also cited there. The charters of 1372, while reciting and confirming the writs named, do not contain a formal confirmation to Kennedy, and the sole reference to him in the extant record is on the margin, where 'Confirmacio Johannis Kenedy' is inscribed in the handwriting of the roll.[8] In January 1357-58 he had received from King David II. a charter

[1] *Cal. Papal Letters*, iv. 42. [2] Bond in Erroll Charter-chest; *Cal. Docs. Scot.*, iv. No. 428. [3] Cul. Charters, No. 10. [4] *Reg. Mag. Sig.*, 83, 121, 148. [5] *Crossraguel Charters*, i. 26, and Cul. Charters, No. 8. [6] Roland Kennedy had two brothers, *Gilbert* and *Thomas*, probably Gilbert Kennedy of Knockdolian and Thomas Kennedy of 'Konrey,' or Cundry, named in the charter of Blairquhan cited above. Roland had also another *patruus*, Sir Thomas Kenredy of Guiltree and Dalmerton (*Laing Charters*, Nos. 64, 68, 69, 71-74). [7] *Acta Parl. Scot.*, i. 545. [8] Original roll of record in H. M. Gen. Reg. Ho.; cf. *Reg. Mag. Sig.*, 114, 115.

containing a general confirmation of all lands and possessions belonging to or acquired by him, and the same was repeated to him by King Robert II. on 12 November 1381.[1]

Some little time before receiving these important confirmations, John Kennedy, on 29 November 1371, founded a chapel near the parish church of Maybole, endowing a priest and three chaplains to celebrate masses for himself, Mary his wife, and their children. This charter, with the lands named in it, was confirmed by King Robert II. on 4 December 1371, and approved by Pope Clement VII.[2] Later, in March 1383-84, he erected the chapel into a Provostry, with endowments for a Provost, two prebendaries, and a clerk.[3] In 1373 he was present in the Parliament which settled the succession to the Crown on the sons of King Robert II.[4] In February 1374-75[5] he acquired the barony of Cumbernauld under a wadset or mortgage.[6] Some time before 17 September 1385 he made a grant, confirmed at that date by King Robert II., to the chapel of St. Mary of Maybole of the lands of Glenap and others, which his 'antecessores' had bestowed on the abbey and canons of Bangor, in Ireland, but which the latter were declared by the King of Scots to have forfeited.[7] John Kennedy, on 20 October 1385, with consent of his son Gilbert, granted certain lands to the burgh of Ayr,[8] but he apparently did not long survive that date. His seal, attached to the charter of 4 December 1371, shows a shield bearing a chevron between three cross-crosslets fitchée; supporters, two lions; crest, a lion rampant; legend, *S. Johannis Kenede.*[9]

John Kennedy married a lady named Mary, referred to in his charter of 29 November 1371, but who she was is not certain. It has been variously stated that she was the Marjorie Montgomerie from whom or with whom he ac-

[1] Culzean Charters, Nos. 3 and 18. [2] *Reg. Mag. Sig.*, 82, 83; *Reg. Epis. Glasguen.*, 286-288. [3] Culzean Charters. [4] *Acta Parl. Scot.*, i. 549. [5] Cul. Charters, No. 15. [6] *Crossraguel Charters*, i. 30. [7] Culzean Charters, No. 130. In Robertson's *Index*, 48, there is reference to a charter confirming this grant by the Earl of Carrick to the Kirk of Bangore. Cul. Charters, No. 130 is a notarial transcript of this confirmation, and of a subsequent one by John, the Steward of Scotland, 13 February 1390. [8] Muniments of the Burgh of Ayr, 75. [9] So described in *Reg. Epis. Glasguen.*, i. p. cxxxv. The Marquess of Ailsa, his descendant, bears the same arms, but with swans as supporters and a dolphin as his crest, the change being made about 1516, according to seal in Culzean Charter-chest. The double tressure was added after the marriage with Robert III.'s daughter.

quired Cassillis, but if so, she must have been his second wife; that she was Mary de Carrick, or a Mary Douglas,[1] but no evidence on the point has yet been found.

He had issue, with other children whose names have not been ascertained:—

1. *Sir Gilbert*, who succeeded him.
2. *Margaret*, married to Sir John Forbes of Druminor, who succeeded before 1385, and had issue. She is styled simply daughter of the Laird of Dunure,[2] and was probably John's daughter.

Sir Gilbert Kennedy of Dunure, the eldest son and heir of John Kennedy, was one of the hostages for David II. in 1357 and 1358.[3] In 1364-65 he received from his father the lands of Strogilton, of Poulton, and two Broughtons, of Lethydale,[4] and in 1370, during his father's life, he acquired from Thomas Fleming, grandson of Malcolm, Earl of Wigtown, the town of Kirkintilloch, confirmed to him by Robert II. on 13 May 1373.[5] On the 27 January 1384-85 he got a charter from Malcolm Fleming of Biggar, confirming a charter, by his father John Kennedy, of the 40 shilling land of Kirkintilloch to himself, as eldest son of John, and to Agnes Maxwell, his wife, and to the longest liver of them, and the heirs-male of his body to be lawfully procreated, whom failing, to Gilbert Kennedy, eldest son of Sir Gilbert, whom failing, to John Kennedy, brother-german of Gilbert, whom failing, to Roland Kennedy, brother-german of Gilbert and John, and the lawful heirs-male of their bodies respectively, whom all failing, to the heirs whomsoever of the said John Kennedy of Dunure.[6] On 24 July 1386, Sir Gilbert granted a bond of obligation to the nunnery of North Berwick, as to the church of Maybole, and gave, as his pledge, James Douglas, Lord of Dalkeith.[7] He is styled Sir Gilbert McKennedy in a charter by John,

[1] *British Compendium*, ii. 145; *Crossraguel Charters*; Agnew's *Hereditary Sheriffs*. [2] Macfarlane, *Gen. Coll.*, ii. 471, calls her *Elizabeth*; Milne MS. Adv. Lib., 34, 6112, calls her *Margaret*. [3] *Acta Parl. Scot.*, i. 519; Rymer's *Fœdera*, iii. pt. i. 281 and 366, 373, 410, 411. [4] *Reg. Mag. Sig.*, fol. ed. 45, 127. [5] Culzean Charters, No. 9; *Reg. Mag. Sig.* [6] Culzean Charters, No. 20; *Reg. Mag. Sig.*, 27 April 1466. Presumably the original charter was just after Gilbert and Agnes married, for no lawful children are mentioned in the charter, Gilbert, John, and Roland being *natural sons*. *See infra*. [7] *Chartulary of North Berwick*, 28. This writ has the remains of Sir Gilbert's seal attached to it, displaying a chevron between

Earl of Carrick, to the monks of Melros.[1] On 16 September 1392, Sir Gilbert granted an obligation to James Kennedy, his son,[2] not to revoke the grant made by him to James and the heirs-male of his body, whom failing, to the heirs whatsoever procreate between the said Sir Gilbert Kennedy and Agnes Maxwell, his wife (mother of the said James Kennedy), of the Mains of Kirkintilloch[3] and lands of Sherreve, Bar, Gartchewar, and Badcoll, lying in the barony of Lenzie, co. Dumbarton. On 2 November 1400,[4] he had a charter from David, Earl of Carrick, eldest son of Robert III., of the lands of Dunure, Girvan, and Glenap, to himself and Agnes Maxwell, his wife, in liferent, and after their decease, to James Kennedy their son, and the heirs-male of his body, whom failing, to Alexander Kennedy, his brother, whom failing, to Hugh Kennedy, his brother, whom failing, to John Kennedy, son of the said Gilbert and Agnes, and brother of James, whom failing, to Thomas Kennedy their brother and the heirs-male of their bodies respectively, whom failing, to the nearest heirs whatsoever of the said Sir Gilbert Kennedy their father. He had a charter in the same terms, in 1404, of the lands of Cassillis and others.[5]

It has been said that James was made his father's heir on his marrying the Princess Mary, but without foundation, as the charter of 1384 was long before James's marriage, and he is first styled as Gilbert's eldest lawful issue in 1392 and 1400. Sir Gilbert was alive in November 1408, but perhaps died not long afterwards, though the date of his death is by no means certain.

Sir Gilbert married, before 1384, Agnes Maxwell, daughter of Sir John Maxwell of Pollok, by his wife Isabel Lindsay, daughter of Sir James Lindsay of Crawford, by the Princess Egidia, daughter of Robert II., and by her had issue:—

1. *James Kennedy* of Dunure, who, as stated, married the Princess Mary (widow of George, first Earl of Angus), in 1405, whereupon King Robert III. granted

three cross-crosslets, with a label of three points on the shield, and a lion for supporter on the left, the rest defaced. The original is said to be in Lord Panmure's Charter-chest. [1] *Liber de Melros*, 453, *carta* 483. [2] Culzean Charters, No. 24. [3] See reference to Sir Hugh Kennedy of Kirkintilloch, p. 440 *supra*. [4] Confirmed by James II., 3 August 1450; *Reg. Mag. Sig.* [5] Culzean Charters, No. 27. Confirmed by James II. 3 August 1450.

a charter of the barony of Dalrymple and the chieftainship and office of bailie of Carrick to James and the heirs-male of his body on his father's resignation.[1] James was killed in a quarrel with his illegitimate brother Gilbert before 8 November 1408.[2] His father Sir Gilbert then agreed with Robert, Duke of Albany, the Regent, that he would entail his estates on himself and Agnes Maxwell, his wife, in liferent, and on the heirs-male of his son James, whom failing, on his other sons in succession and their heirs-male.[3] James Kennedy left issue by the Princess Mary:—

(1) *Sir John*, 'Joannes Kennedy de Carryk,' who was a hostage for the redemption of James I.[4] He perhaps had by then succeeded his grandfather,[5] as he was possessed of 500 merks land. He had a safe-conduct to meet the King at Durham with horses and retainers, 3 February 1423-24.[6] He was unkindly treated by fate and his career cut short, as Fordun tells us that King James I. caused his nephews, Archibald, the fourth Earl of Douglas, and Sir John Kennedy to be arrested, the Earl being sent to Lochleven, while Kennedy was kept in the castle of Stirling till the following feast of St. Michael, at which the King, in a Parliament held at Perth, at the request of the Queen, nobles, and prelates,[7] pardoned the Earls of Douglas and Ross, but Kennedy was kept in close custody. A great mystery hangs over this event, of which nothing more transpires in history. His offence was inconsiderate speeches against the King's Government.[8] In the Chamberlain Rolls for the year 1434, a payment occurs for the expenses of Sir John Kennedy, in the castle of Stirling, of £14, 13s. 4d., which is the last notice that has been found of him.[9]

(2) GILBERT, who succeeded to the estates.

(3) *James*, born 1405 or 1406, who was consecrated bishop of Dunkeld 1438. No sooner was he settled than he set himself to do all the good in his station he could; and having nothing more at heart than the reformation of the abuses which had crept into the Church, he repaired to Pope Eugenius IV. at Florence, to obtain the papal authority to put a stop to these evils. The Pope bestowed on him

[1] Culzean Charters, No. 28; *Reg. Mag. Sig.*, 21 November 1450. Among the witnesses to this charter are John Kennedy of Lenzie and Fergus Kennedy, his son, who were descendants of a family of Kennedies of Buchmonyn and Lenzie, which lands afterwards came into the main line of Kennedy. [2] Cul. Mun., No. 31 original. [3] Original, 8 November 1408, in Culzean Charter-chest; cf. also *Reg. Mag. Sig.*, 20 and 24 August 1429. [4] *Rot. Scotiæ*, ii. 442, 4 December 1423. [5] In *Reg. Mag. Sig.*, 20 and 24 August 1429, he is styled John Kennedy of Cassillis, Knight. [6] *Cal. Docs. Scot.*, iv. 942. [7] *Exch. Rolls*, iv. preface, cvi. [8] *Ibid.*, p. clxxi. [9] *See also* Balfour's *Annals*, i. 129, 130, but Balfour is wrong in saying he was released along with Douglas.

the abbey of Scone in commendam; and while he was at Florence, the bishopric of St. Andrews becoming vacant in 1440, he was translated thereto. On his return home he put all things in such order, as no man living did then remember to have seen the Church in such an estate. He held the office of Chancellor of Scotland for a few months in 1444. He founded and liberally endowed St. Salvator's College in St. Andrews; and by the best influence, that of talents, probity, and political skill, he acquired an authority before unknown to any churchman in Scotland. On the premature death of King James II., 1460, the Queen-Dowager used his tried wisdom and abilities in conducting the government, and on her death the whole power of state, and of the education of the young King, was placed in his hands; but, unfortunately for both, this distinguished prelate died in July 1465. His death excited much public regret. His virtues and abilities have been much applauded and frequently recounted by historians.[1]

2. *Alexander Kennedy* of Ardstynchar, so called as a witness to a charter dated 18 March 1415, by John M'Gillilan, to Fergus Kennedy of Bomonyn.[2] He was known by the *sobriquet* of Dalgour, and there is a curious story told regarding him. The Earl of Wigton offered a reward of a 40 merk land to the person who should bring in the head of this troublesome customer. Alexander appeared one day with a retinue of 100 horsemen, outside the church in which the Earl was worshipping, presented himself, and claimed and got the reward. It is related that finally his other brothers got tired of him, and being afraid that he might usurp the family property, they smothered him with feather-beds.[3] He had issue only a natural son *Gilbert*, who obtained a charter, dated 31 December 1456, from John M'Dowall of Quarterland of the 25s. land of Beoch.[4]
3. *Hugh Kennedy* of Ardstynchar,[5] accompanied the Scottish troops to France under the Earl of Buchan, and there greatly distinguished himself, though he seems to have been confused by French writers with

[1] Pinkerton, i. 247, 254. *See* Buchanan's *History of Scotland*, ii. 220-264 and 281; Keith's *Hist. of the Bishops*, 29 and 87; Crawfurd's *Lives, Officers of State*, 31 and 33. [2] Cul. Charters, No. 32. His name also appears in Culzean Charters, Nos. 35 and 37. [3] *Historie of the Kennedyis*, edited by Robert Pitcairn, published Edinburgh 1830, 5, 6. [4] Cul. Charters, No. 71; cf. *Reg. Mag. Sig.* [5] Fordun, ii. 461, Pope Martin says, 'Vere Scoti Anglorum tiriaca sunt.'

his illegitimate brother Gilbert, who was also a soldier of fortune in France at the same period. He is said to have served with distinction at the battle of Beaugé, in Anjou, 22 March 1421. Michel says that he was present at the Battle of the Herrings.[1] He commanded the Scots contingent under Joan of Arc at the raising of the siege of Orleans in 1429, and elsewhere throughout the campaign of the Maid.[2] He was perhaps the Captain Kennedy who held the Queen of Sicily hostage at Tours (probably for arrears of pay), and plundered the surrounding country. He was nicknamed 'Come with the penny' (*Venez avec le sou*), a *sobriquet* given him on his return to his native land laden with money and honours given him by the French king.[3] For his conduct at Beaugé he was granted by the King of France his armorial bearings, viz. Azure, a fleur-de-lys or, and this is likewise stated as the reason of the Bargany family quartering these arms with those of Kennedy.

4. *John*, the fourth son of Sir Gilbert Kennedy, is usually styled son of Gilbert Kennedy and of Agnes Maxwell, to distinguish him from his elder brother of the same name, who was illegitimate. He acquired the estate of Blairquhan. He was made a Knight before 1444,[4] and died before 12 June 1473,[5] when his son John was Laird. His descendants held the estate of Blairquhan, and later, a wide extent of lands in the Stewartry of Kirkcudbright, Wigtownshire, and Ayrshire,[6] for several generations, until 1621, when Blairquhan was sold by John Kennedy to James Kennedy, eldest surviving son of Sir Thomas Kennedy of Culzean.[7]

5. *Thomas*, the fifth son of Sir Gilbert, had a charter of Ardstinchar on the resignation of his brother Hugh, 20 August 1429,[8] and it is probable he then assumed his brother's armorial bearings also, as the Bargany family who descend from him quarter the three fleur-

1 Michel, *Les Ecossais en France*, i. 119, 169. 2 J. E. J. Quicherat's *Condemnation et Rehabilitation de Jeanne d'Arc*, under the name of Candé (Kennedy); *Historie of the Kennedyis*, 4, and notes to same, 80; and Nisbet's *Heraldry*, ii. 69 (Part iii.). 3 Michel, 170; *Historie of the Kennedyis*. 4 Culzean Charters, No. 34. 5 *Ibid.*, No. 114. 6 *Laing Charters*, Nos. 340, 574, etc., *per* Index. 7 *Ibid.*, No. 1374. 8 *Reg. Mag. Sig.*

de-lys of France with their paternal coat.[1] He was bailie of Carrick 1434 to 1438.[2] In a charter of King James II., 13 February 1450-51, he is styled Thomas Kennedy of Kirkoswald, and in another charter of later date, 14 October 1455, he is styled Thomas Kennedy of Bargany.[3] He was the ancestor of the families of Kennedy of Bargany, Bennan, Kirkhill, and Bardrochat.

6. *David*, sixth son of Sir Gilbert, received on 24 August 1429 a charter from King James I. of the lands of Kirkmichael, resigned by his brother Thomas, who also names him in entails of his lands.[4] He was in the retinue of the Princess Margaret of Scotland when she passed to France to her marriage in 1436, and later he had a safe-conduct on his way from Rome.[5] He was the ancestor of the Kennedys of Kirkmichael.

Sir Gilbert Kennedy had also three illegitimate sons, *Gilbert* (*primogenitus*), *John*, and *Roland*, all three apparently by the same mother, as they are described as brothers-german in the charter, already cited (p. 447), of 27 January 1384-85, where they are called in succession after the lawful heirs-male of their father. *Gilbert* distinguished himself in the wars in France, where he fought under Joan of Arc. He killed his lawful brother James in a quarrel, and died abroad, apparently without lawful issue. *John*, who is not to be confused with his brother John Kennedy of Blairquhan, is supposed to be the ancestor of the first family of Kennedy of Coif, which soon became extinct. *Roland*, the third brother, appears to have been infeft in the lands of Leffnol, in Wigtownshire, and had issue a son *Gilbert*.[6]

I. GILBERT KENNEDY of Dunure succeeded either to his grandfather, or to his elder brother John, who is styled

[1] Tomb at Ardstinchar; figure of Joan of Arc as one supporter, a dragon being the other; fleur-de-lys quartered with Kennedy arms. But the Bargany family may have acquired the fleur-de-lys from the Montgomeries of Eaglesham, afterwards of Eglinton, with whom they frequently intermarried. [2] *Exch. Rolls*, iv. 594; v. 25. [3] Culzean Charters, Nos. 48 and 66. [4] *Reg. Mag. Sig.*, 20 and 24 August and 16 December 1429; 8 August 1430. [5] *Cal. of Docs. relating to Scotland*, iv. 1133. [6] Culzean Charters, No. 59; *Reg. Mag. Sig.*

'*John Kennedy of Cassillis*' in 1429, and who apparently did not long survive his imprisonment. Gilbert is referred to in various Crown writs between 1429 and 1452, but little is known of his history until between 27 May 1457,[1] and 20 March 1457-58 he was created LORD KENNEDY. On the latter date he is called Lord Kennedy, apparently for the first time, in an instrument of resignation of the lands of Glenginnet. He rose to power after the death of King James II. in 1460, and held the office of Chamberlain of Carrick, Dundonald, Leswalt, Menybrig, and Barquhany; was made Keeper, 1465, and Constable, 1466, of Stirling Castle.[2] He was one of the three intimates of the young King James III.,[3] the other two being Lord Fleming and Sir Alexander Boyd. Lord Kennedy was the King's near relative (he was a first cousin of James II.), and had great family influence in the west of Scotland. He had, shortly before the death of his brother James, Bishop of St. Andrews, been made Keeper of Stirling Castle; but his actions were not characterised by the high-principled integrity of the prelate. The share he took in the plots of the Boyds was not inconsiderable. He was concerned in the capture of King James III., 9 July 1466, though he made a show of opposition, and submitted to a brief imprisonment in the Castle of Stirling (of which he was Keeper) merely for the sake of appearances.[4] The King was conveyed to Edinburgh Castle, of which Sir Alexander Boyd was Keeper, and a Parliament was convened there on 9 October, at which the King ratified the doings of the Boyds. Kennedy, however, took good care not to be involved with the fall of the Boyds in 1469. He and Fleming got off on payment of fines.

During the above period Lords Kennedy and Fleming had been having disputes as to certain lands in the barony of Lenzie, in which barony the Kennedys long had an interest. The proceedings are too intricate to be fully stated here. It is sufficient to state that on 15 April 1466 a decree was obtained by Lord Kennedy against Lord Fleming, declaring

[1] *See* inventory, Cul. Charters, Nos. 70, 73 and *note*; Fraser's *Maxwells of Pollok*, i. 430. [2] *Exch. Rolls*, viii.; vii., Preface, 57, 59. [3] Buchanan, ii. 278, says that he was one of the guardians of James III. [4] In the *Exch. Rolls*, vii. 443, 458, we find, in the accounts of the succeeding year, two incidental allusions to ale that was brewed and drunk in Stirling Castle by Lord Kennedy at the time of, or immediately after, his arrest.

that Lord Fleming unjustly withheld the lands of Lenzie from him, and the Sheriff of Dumbartonshire, Sir John Colquhoun of that Ilk, was ordained to give possession to Lord Kennedy, which was done on 17 April 1466, and confirmed on 27 April 1466. On 30 April 1466 Gilbert Lord Kennedy was infeft in the barony of Thankerton also.[1] This barony was, however, still claimed by Robert Lord Fleming's grandson, John Fleming, 3 March 1489.

Gilbert, first Lord Kennedy, frequently attended Parliament, his last appearance there being on 6 March 1478-79. He apparently died soon after that date. He married, first, about 1440, Katherine, daughter of Herbert, first Lord Maxwell; secondly, Isabel, daughter of Walter Ogilvie of Lintrathen,[2] widow of Patrick, Lord Glamis, by whom he apparently had no issue. She survived Lord Kennedy, and died in 1484.[3] His issue by his first wife were—

1. JOHN, second Lord Kennedy, of whom afterwards.
2. *James*, afterwards designed of Row. He is thought to be the first Laird of Baltersan. On the 27 February 1465-66[4] he obtained a gift of the marriage of Isabel Macdowell, daughter of a former Dungal Macdowell, and heir of her brother Fergus Macdowell. In a charter dated the 15 May 1473[5] to him of the half of the barony of Glenstinchar, confirmed 17 May 1473, he is called *filius carnalis* of Gilbert, Lord Kennedy. His wife's name was Egidia Blair.[6] She was still alive on 5 January 1515-16,[7] and also apparently on 17 July 1516.[8]
3. *Alexander Kennedy.*
4. *Gilbert* of Crochba, Provost of the Collegiate Church of Maybole, who, it is said, had no issue.
5. *Robert.*
6. *Walter Kennedy* of Glentig, and parson of Douglas.[9]

[1] Culzean Charters, Nos. 103, 104, 105, 154. [2] *See* vol. i. p. 112. [3] *See* her seal, *Charters of the Friars Preachers of Ayr*, 57, impaling the arms of her first husband and the arms of Ogilvie. Legend, '*S. Isobelle Ogylve Dne Glais.*' [4] *Reg. Mag. Sig.* [5] Culzean Charters, Nos. 112, 113, 114, 115, and *Reg. Mag. Sig.* [6] For her will *see Crossraguel Charters*, i. 92, and Aiton's *Survey of Ayrshire*, Appendix L, 703; Blair of Blair in Douglas's *Baronage.* [7] *Reg. Mag. Sig.*, 18 Jan. 1515-16. [8] *Reg. Epis. Glasguen.*, ii. 526-528. [9] The sons of Gilbert, first Lord Kennedy, as above, are called in succession, in a charter by King James II. of date 23 Oct. 1455, Culzean Charters, No. 66.

He is designed rector of Douglas, and brother of John, Lord Kennedy, in a charter granted by Archibald, fifth Earl of Angus (Bell-the-Cat), confirmed on 25 September 1498.[1] By a charter dated 8 December 1504 he acquired Glentig from John Wallace of Glentig.[2] On 7 July 1505 he had two charters from Andrew Graham of Knockdolian, by whom he is termed '*meus consanguineus*,' of lands of Strabracken and other lands, on resignation of John Wallace of Glentig.[3] He was educated at the College of Glasgow, and appears to have been originally intended for the Church. He was incorporated in the College 1475, took his degree as Bachelor of Arts in 1476, and as a licentiate and Master of Arts in 1478.[4] In November 1481 he was elected one of the four masters to act as examiners. He was a poet, and is referred to by Gavin Douglas in his 'Palace of Honour,' written in the year 1505, as 'Greit Kennedie.' He is most famous for the poem, in which he and Dunbar took part, called the 'Flyting of Dunbar and Kennedy.'[5] There is, as a matter of fact, very little poetry in it, but a great deal of mutual abuse and boasting of their pedigrees. Kennedy calls himself 'Of the Kingis Blood his true speciall clerk.' In spite of his blood he was, according to Dunbar, a wild, boorish Celt.

'Ersch Katherane with thy polk breig (speckled bag) and rilling.'[6]

From the 'Flyting' it appears that he resided for some time on the Continent, but at that time was living in Ayrshire. He acted for some time as bailie-depute of Carrick. Dunbar, in his 'Lament for the Makars,' written between 1505-1508, speaks of him as lying at the point of death; but he seems to have recovered, and in 1510 he is mentioned

[1] *Reg. Mag. Sig.* [2] Culzean Charters, 189. [3] *Ibid.*, 192, 193. [4] *See Historical Account of Family of Kennedy*, Edinburgh, 1849 (afterwards referred to as *Family History*), *note* p. 24; *Reg. Univ. Glasg.*, ii. 86 and 94. [5] Small's *Poems of Dunbar*, ii. 16, i. 145. [6] Rilling means rough shoes made of undressed hides, and is particularly interesting in view of the fact that, as we have seen, nearly two hundred years before this John MacKennedy was called Captain of the Clan Muinntir cas dubh (people of the black feet), so called because, unlike other tribes, they wore the hairy side of their brogues outside.

in a deed as parson of Douglas.[1] From his son's infeftment, 18 June 1518, as his father's heir, it seems likely that Walter Kennedy died a short time before.

He married Christian Hynd,[2] and had issue four sons:—

(1) *Mr. Walter Kennedy*, rector of Douglas.
(2) *Alexander Kennedy* of Glentig, who married Janet Wallace,[3] and had issue.
(3) *James.*
(4) *David.*

7. *Katherine*, married, before 1459, to Alexander Montgomerie, grandson and heir of Alexander, first Lord Montgomerie,[4] with issue. (*See title* Eglinton.)
8. *Marion*, contracted on 12 April 1459 to marry John, son and heir of William Wallace of Craigie, and on 20 January 1465 to marry James, eldest son of Robert Lord Boyd, but it does not appear that she married either.[5]

II. JOHN, second Lord Kennedy, who succeeded, had already acquired various possessions, and had been twice married in his father's lifetime. He was called Lord Kennedy before his father's death in an instrument of sasine, in the barony of Dalrymple, dated 12 April 1475.[6] He was bailie of Carrick in his father's lifetime.[7]

It appears from the *Exchequer Rolls* that he acquired the five merk land of Traboyach by representing that his father had purchased it from the Earl of Buchan. On his father's death he became Chamberlain of Carrick, Leswalt, Dundonald, Menybrig, and Barquhany; and was a great deal burdened with having to pay off his father's arrears.[8] He was lessee of Arran from 15 July 1480 to 16 August 1486.[9] Like his father he used to get into arrears with his accounts. He was fined for absence from the Exchequer in 1495.[10] In fact he spent a good deal of his time getting

[1] Culzean Charters, No. 241. [2] *Ibid.*, No. 193. [3] *See* Pitcairn's *Criminal Trials*, vol. i., pt. 1, p. 138; Culzean Charters, No. 241 [4] Cf. the *Memorials of the Montgomeries*, ii. 47, where their son states in October 1484 that he was not then twenty-four. [5] Culzean Charters, No. 76, and note in inventory, also No. 96, and *Reg. Mag. Sig.* [6] *Ibid.*, 118. [7] *Exch. Rolls*, vii. 646. [8] *Ibid.*, ix. and x. *passim.* [9] Preface to *Lord Treasurer's Accounts* i. 16. [10] *Exch. Rolls*, xi., Introduction, xlviii, and 348, 350.

off fines imposed for some breach of the law or other. Among the remissions in the Ayrshire account of 1501 is one to Lord Kennedy, who had been assessed £40 for refusing on two different occasions to receive into ward in his castle of Cassillis and Dunure, when required to do so by the coroner, certain delinquents. In 1497-98 he furnished a small ship for the King's service, described as Lord Kennedy's 'pykkert.'[1] He is a witness to royal charters by King James III. in 1482 and 1487-88,[2] and he was one of the conservators of the three years' truce drawn up at Nottingham 21 September 1484. On 18 April 1485[3] he was one of the eight Scots commissioners who got safe-conduct to go to England, apparently for drawing up terms of peace. He was appointed envoy to Henry VII. to conclude a truce for three years, at London 3 July 1486.[4] On 12 February 1505 he acquired the lands of Coiff and other lands from Gilbert Kennedy of Coiff.[5] He was still alive on 24 July 1508, as he is then mentioned as being in possession of Traboyach. He died between 24 July 1508 and 23 May 1509.[6]

John Lord Kennedy married, first, before 25 March 1459-60, Elizabeth, second daughter of Alexander, first Lord Montgomerie, as he had a charter on 25 March 1460, to himself and Elizabeth Montgomerie his wife.[7] He married, secondly, Elizabeth, daughter of Alexander, Earl of Huntly, and widow of Nicholas, Earl of Erroll. He married her before 30 June 1471, when he resigned certain lands in her favour.[8] She died 17 April 1500, and was buried at Cupar. He appears to have married a third wife, Elizabeth Kennedy, who survived him and married a William Power, as on 7 May 1533 she is named as the wife of Power and the relict of the late John, Lord Kennedy, in an action as to certain contracts about her terce.[9] Lord Kennedy had issue:—

1. David, who succeeded as third Lord Kennedy.
2. *Alexander Kennedy* of Girvanmains, son of second

[1] *Lord High Treasurer's Accounts*, i. 378. [2] *Reg. Mag. Sig.*, 23 March 1487-88 and 19 October 1488. [3] *Cal. Docs. Scot.*, iv. Nos. 1505, 1520, 1521. [4] *Ibid.* [5] Culzean Charters, Nos. 201-203. [6] *Exch. Rolls*, xiii. 41; Culzean Charters, Nos. 215, 216. [7] *Reg. Mag. Sig.* [8] *Ibid.*, 12 July 1471 [9] *Acta Dom. Conc. et Sess.*, ii. 159.

marriage.[1] He had from his father, on 31 July 1481, two charters of the lands of Girvanmains and Mackilevinstoun and others.[2] He was also granted by his father on 11 March 1487-88, the barony of Leswalt, confirmed by King James IV. 24 January 1488-89,[3] and on 21 February 1499-1500 he had a charter to himself from James IV.[4] of this barony, which he afterwards, on 30 March 1506,[5] handed over to his eldest brother David, who got a charter of them that day on Alexander's resignation. Besides two bastard sons *Alexander* and *George*, who were granted legitimations by James V. 6 July 1542,[6] Alexander had a son *Hugh*, who, as Sir Hugh Kennedy of Girvanmains, was rather a prominent person during the reign of Queen Mary. He was the ancestor of the Kennedys of Girvanmains, which estate was sold in 1694 to a cadet of the Kennedys of Bargany. The Kennedys of Pinwherry and Monunshion were derived from Girvanmains.

3. *John* (of second marriage), who is called in two charters of 31 July 1481 by John Lord Kennedy to his son Alexander Kennedy of Girvanmains, confirmed the same year.[7] The only other certain mention of this son is a remission on 23 November 1508 to *John Kennedy*, son of John, Lord Kennedy, for horse-stealing, felony, and reset of rebels.[8]
4. *William*, also named in the charters of 31 July 1481 cited above by John, Lord Kennedy, to his second son Alexander Kennedy.
5. *Katherine* (by first marriage), married, contract 15 September 1465,[9] to Thomas, eldest son of Gilbert Kennedy of Bargany, by whom she had issue. From a confirmation of the 24 January 1488[10] it appears that she had the lands of Dalfask, Trower, and Mackowanstown.[11]

[1] For his signature on 8 January 1515, *see Reg. Epis. Glasguen.*, ii. 525; Cul. Charters, No. 136 (copy Charter). [2] *Reg. Mag. Sig.*, c. 11 August 1481. [3] Cul. Charters, No. 141 (original). [4] *Reg. Mag. Sig.*, 1499-1500; Cul. Mun., 169. [5] *Ibid.*, 1506. [6] *Ibid.*, 1542. [7] Culzean Charters, No. 136 (copy); *Reg. Mag. Sig.*, 1481. [8] Robertson's *Ayrshire*, i. 6 (from Pitcairn's *Criminal Trials*). [9] Culzean Charters, No. 91, and *Reg. Mag. Sig.* [10] *Reg. Mag. Sig.*, 1488. [11] There is on record a charter, dated 24 February 1472-73, by James III. in favour of John Wallace and Katherine Kennedy his spouse, of the lands of Thornlie and others. *Family History*, p. 27 *n.*

6. *Elizabeth* (by second marriage), married to Sir William Colville of Ochiltree, but the marriage was dissolved on the ground of consanguinity before August 1498. She had a daughter Elizabeth, whose legitimacy was challenged, but unsuccessfully.[1]

7. *Janet* (by second marriage), who had a very romantic and chequered career, but only the main points can here be stated. In 1492 she was betrothed to Alexander Gordon, son and apparent heir of John Gordon of Lochinvar, and on 17 July of that year her father paid 200 merks towards her tocher. On 25 September 1497, however, the marriage was still uncompleted, as Alexander Gordon declared himself willing to fulfil his part.[2] But shortly afterwards, in 1498,[3] she was contracted, or, according to a statement by herself, married, to Archibald, fifth Earl of Angus, though she is nowhere described as Countess of Angus, and she had charters from him of various lands, including the lordship of Bothwell, and she is frequently styled Lady Bothwell.[4] But in or about 1499 she became the mistress of King James IV., and had issue by him in 1500 a son, James, created Earl of Moray. (*See that title.*) The King settled Darnaway Castle upon her, so long as she remained unmarried. Before March 1504-5 this condition appears to have been infringed, and on 6 November 1505, and also on the 28th, she is referred to in civil actions as spouse of Sir John Ramsay of Trarinzean,[5] who had been created Lord Bothwell by King James III. (*See that title.*) But they were separated before February 1507-8, when he had another wife. She founded a prebend in 1531 in the church of St. Mary's in the Fields (the celebrated Kirk of Field, afterwards fatal to Darnley) for the welfare of Archibald, Earl of Angus, her husband, and she was still alive in December 1543.[6]

8. *Margaret* (by second marriage), married before 4 Feb-

[1] *Acta Dom. Conc.*, xiii., ff. 19, 20; *Liber Officialis S. Andrea*, 40; MS. 80. [2] Protocol Book of James Young, City Chambers MS., iv. vii. at dates. [3] *Reg. Mag. Sig.* [4] *Douglas Book*, ii. 107, 108. [5] *Exch. Rolls*, xii. 44; Protocol Book of James Foular, Edinburgh City Chambers; *Acta Dom. Conc.*, xxvi. 19. [6] *Reg. Mag. Sig.*, 1 August 1545.

ruary 1499-1500, to Andrew, Lord Avandale. On 7 March 1501-2 Lord Kennedy was decerned to pay £100 Scots to Lord Avandale in terms of the marriage-contract with his daughter.[1]

9. *Helen* (by second marriage), married, first, to Robert Graham of Knockdolian, who died in 1528,[2] leaving issue a daughter, *Janet*, married to James Eccles of that Ilk, and another daughter, *Margaret*; secondly, apparently before December 1531, to Adam Boyd of Penkill,[3] third son of Alexander Boyd, second son of Robert, first Lord Boyd, by whom also she had issue, being ancestress of the Boyds of Penkill and Trochrig.

III. David, third Lord Kennedy. He was knighted 29 January 1487-88 when James, second son of King James III., was made Earl of Ross.[4] On 9 July 1489 he and his wife got a charter of lands of Balgra, Auchentibbir, Pacokbank, and other lands of Cunninghame, on resignation of his father John, Lord Kennedy.[5] The same day he was granted the bailiary of Carrick, and appears as bailie of Carrick in that year and afterwards.[6] He was a witness to charters by the Earl of Angus to his sister Janet in 1498 of lands of Braidwood and Crawford Lindsay.[7] On 17 February 1501-2 he got a charter from James IV. of the lands and baronies of Cassillis and Dunure,[8] and on 30 March 1506 he got the lands and barony of Leswalt on the resignation of his brother Alexander Kennedy.[9] He also had a charter, 28 January 1506-7 of the 4 merk land of Makbhardstown (Balvaird) in Carrick. He was created EARL OF CASSILLIS between 22 and 24 October 1509. On the first date he is styled Lord Kennedy, and on the second date Earl of Cassillis in the Sederunts of the Lords of Council.[10] The reason of this elevation seems to be that he had just married his second wife, Margaret Boyd, widow of Alexander,

[1] *Reg. Mag. Sig.*, 4 February 1499-1500; *Acta Dom. Conc.*, xi. 101. [2] *Exch. Rolls*, xvi. 520. [3] *Acta Dom. Conc. et Sess.*, vi. 79. [4] *Records of Parliament*, 325. [5] Culzean Charters, No. 150 (original), and No. 152; *Reg. Mag. Sig.*, 1489. [6] Culzean Charters, Nos. 149 and 151 (original); *Reg. Mag. Sig.*, 1489. [7] *Reg. Mag. Sig.*, 24 July and 25 Sept. 1498. [8] Culzean Charters, Nos. 179-182 (originals except No. 181); *Reg. Mag. Sig.*, 1501-2. [9] *Reg. Mag. Sig.*, and Agnew's *Hered. Sheriffs of Galloway*, 103 and *note*, and 131. [10] *Acta Dom. Conc.*, xxi. 3.

fourth Lord Forbes, and daughter of Thomas Boyd, Earl of Arran, a niece of James III. and a first cousin of James IV. (*See titles of* Forbes *and* Erroll.)

David, first Earl of Cassillis, fell at Flodden on 9 September 1513.[1] He was twice married, his first wife being Agnes Borthwick, daughter of William, Lord Borthwick, who is named in the charter of 9 July 1489 above cited.[2] He married, secondly, about 9 August 1509, Margaret Boyd, already named as widow of Alexander Lord Forbes.[3] She survived the Earl, and had a dispute with her stepson Gilbert, second Earl, as to which she appealed on 9 February 1515-16.[4]

The first Earl had no issue by his second marriage. By his first wife, Agnes Borthwick, he had issue:—

1. GILBERT, second Earl of Cassillis.
2. *William*, Abbot of Crossraguel, 1520-47. His election in 1520 was not recognised by the Abbot of Paisley.[5] He was a good and great Abbot. During the twenty-seven years of his *régime* he was eight times present at the national Parliament.[6] He was also a member of the Privy Council.[7] Besides the Abbacy of Crossraguel, he held for many years the Commendatorship of the Abbey of Holywood,[8] and he was an intimate friend of Gavin Dunbar, Archbishop of Glasgow, and of Henry, Bishop of Galloway. On the assassination of his brother Gilbert, second Earl, in 1527, he acted tutor and guardian to the young Earl, his nephew, for eleven years. On 8 April 1530, he obtained a royal licence or safeguard to pass to France and other places beyond seas on his pilgrimage to Rome.[9] He must have returned before 13 May 1532, because he attended the Parliament of that date, which instituted the College of Justice.[10] On the 30 September 1534 he leased the parsonage fruits of the church of

[1] Culzean Charters, No. 321. [2] *Reg. Mag. Sig.* [3] *Ibid.*, 11 August 1509. She had been described as Grisel Boyd, but appears in Cul. Charters, No. 229, and the Great Seal as Margaret, and also in the Papal Dispensation (*Diocesan Reg. of Glasgow*, ii. 320). [4] The Boyd Papers, *Arch. Coll. of Ayr*, etc., iii. 159. [5] *Crossraguel Charters*, i. Preface, xxxv *et seq.* and 68. [6] *Acta Parl. Scot.*, ii. 308, 321, 335, 339, 409, 410, 468, 470, 471, 598. [7] *P. C. Reg.*, i. 23, 33, 53, 60, 67. [8] *Crossraguel Charters*, i. 79; Cul. Mun., 281, also 268, 272, 273, 280. [9] Pitcairn, *Crim. Trials*, i. 245; *Crossraguel Charters*, i. 91. [10] *Acta Parl. Scot.*, ii. 335.

Straiton to James Kennedy of Blairquhan.[1] On the Earl attaining his majority the abbot was released from his tutorship, 27 February 1539.[2] He was appointed a Commissioner for holding Parliament after the battle of Solway Moss, and he voted for Arran as governor of the kingdom.[3] It was doubtless a sense of the insecurity of the times that prompted Gavin Dunbar (Archbishop of Glasgow) to make a will whereby all his treasures and personal effects were deposited in the hands of his friend the Abbot of Crossraguel.[4] The archbishop's will, confirmed 31 May 1548, discloses the fact that an enormous quantity of wealth was intrusted to the abbot's keeping. Richly embroidered vestments, gold and silver goblets, jewels of the rarest kinds, a valuable library, and nearly £4000 in money, formed the nucleus of the prelate's property, and the intrusting of such to the care of Abbot William shows the high estimation in which he was held by Gavin Dunbar. In the winter of 1546 he was at St. Andrews, busily concerned with the domestic affairs of his abbey;[5] and on 1 May 1547 he was present at the last Parliament of his life. He had spent his life well in the service of his monastery, his country, and his church, and in an age when the lives of all the Scottish prelates were not perhaps emblems of perfection, it is notable that not a breath of slander sullied the fame of William Kennedy. He was also a loyal clansman. The abbot died before 1 January 1547-48, the date on which the election of his successor, Abbot Quintin, was confirmed.[6] The Archbishop of Glasgow died April 1547,[7] so William must therefore have lived long enough to have taken possession of the goods and money left to him, and to have transferred the property to the Earl of Cassillis and the Rector of Stobo.

[1] Culzean Charters, No. 324. This is the first actual lease in the Culzean Papers. [2] Culzean Charters, No. 382; *Crossraguel Charters*, i. 99. [3] *Acta Parl. Scot.*, ii. 409. [4] *Crossraguel Charters*, i. 100-101; he quotes from a MS. in possession of Sir William Dunbar of Mochrum. [5] *Ibid.*, i. xl. 101. [6] Protocol Book of Mr. Henry Prestoun, f. 6. [7] *See Reg. Epis. Glasguen.* and *note* to *Crossraguel Charters*, i. 108.

3. *James*,[1] of Brunston, witnessed a contract between Gilbert, third Earl, on the one part, and William, Abbot of Crossraguel, and James Kennedy of Blairquhan on the other part, on the 28 May 1528;[2] and it is most likely that he is the Mr. James Kennedy, chamberlain to the Earl of Cassillis, who with his brother, Abbot William, made a contract, dated 29 January 1528-29, with Isabel Campbell, widow of the second Earl, with regard to the fruits of the church and parsonage of Maybole.[3] He acted as bailie of Carrick 1534-42. He is called in entail of 6 February 1540-41.[4] He apparently had issue.
4. *Thomas* of Coiff, is one of those called in the entail of 6 February 1540-41.[5] He was a hostage in England, 1543-45 for his nephew, the third Earl of Cassillis,[6] and suffered greatly from his nephew's neglect. He was still alive 8 April 1569. His wife in 1527 and 1534 was Helen Campbell, daughter of Archibald, second Earl of Argyll (vol. i. 337), and widow of Sir Gavin Kennedy of Blairquhan.[7] He also married Catherine, daughter of Thomas Corry of Kelwood.[8] He had issue.
5. *Katherine*, married, first, contract 4 October 1510,[9] to Quintin Mure of Aird, who is mentioned in a precept of sasine 7 January 1510-11 for infefting him and Katherine Kennedy, his wife, daughter of the Earl of Cassillis, in the lands of Kilmore.[10] By him she had one daughter, called *Margaret*, married, first, to Neil Montgomery of Lainshaw; secondly, to John Kennedy of Skeldon. Katherine Kennedy was married, secondly, in or before 1518,[11] to William Hamilton of Sorn and Sanquhar; who with his wife is mentioned also in later charters, including one of 1533.

[1] Described as brother of the late Gilbert, Earl of Cassillis, on 1 February 1527-28, Prot. Book, Gavin Ross, ii. 19a. [2] *Crossraguel Charters*, i. 82; Cul. Charters, No. 288. [3] *Crossraguel Charters*, i. 83; Cul. Charters, Nos. 289, 290. [4] Note to *Reg. Mag. Sig.*; Cul. Charters, No. 403; *Reg. Mag. Sig.*, 6 Feb. 1540-41. [5] Cul. Charters, No. 403, and *Reg. Mag. Sig.*, 1540-41. [6] Letter, State Paper Office, 19 Jan. 1542-43. [7] *Acta Dom. Conc.*, xxxvii. f. 108; *Acta Dom. Conc. et Sess.*, v. f. 68. [8] Culzean Charters, Nos. 563, 566. [9] *Acts and Decreets*, xix. f. 352. [10] Culzean Charters, Nos. 222, 223. [11] Protocol Book of Gavin Ross.

6. *Christian*, married to John Kennedy of Guiltree.[1] She had issue a son *John*.[2]

IV. Gilbert, second Earl of Cassillis, succeeded his father in 1513. In 1516 he was appointed by the Bishop of Galloway bailie of all the lands belonging to the bishopric in Galloway, and captain and keeper of the manor-place and loch of Inch.[3] He was ambassador to England 1515-16,[4] and on 14 November 1516, out of special favour towards him, James v. erected the town of Maybole into a free burgh of barony.[5] On 5 January 1515 he sold Egidia Blair, widow of James Kennedy of Row (his great-uncle) an annualrent of lands belonging to Dunure, of the value of £10, to found a chaplainry at Maybole, with reversion of patronage thereof to himself.[6] His name frequently occurs in the *Exchequer Rolls* of the period as Chamberlain of Carrick, Leswalt, and Menybrig.[7] On 23 September 1514 he got sasine of lands of Balmaclannochan (Kilkerran) in Carrick, with tower and fortalice thereof. He and the Lords Erskine, Borthwick and Moray, and Fleming acted at different times as custodians of the person of the young King James v.; and in the Earl's account as Chancellor of Galloway, rendered 17 March 1523, £150 is paid to him as salary, assigned to him by Act of Parliament for remaining with the King three months.[8] On 15 June 1523 the Earl had a Commission of Justiciary as bailie of Glenluce, the jurisdiction extending over the barony of Glenluce for three years, and further at the King's pleasure.[9] He acted more than once as ambassador, as in 1525 £160 is assigned to him, and like sums to the other ambassadors. He and the Bishop of Dunkeld had been appointed by Parliament as ambassadors to England[10] on 19 November 1524. In 1525 he was tried for the murder of Martin Kennedy of Lochland, but was acquitted through the influence of his brother-in-law, the Earl of Argyll. He was, on 30 October 1526, discharged of all points of treason for being present at the

[1] Culzean Charters, 28 May 1526. [2] She is called in *Historie of the Kennedyis* Lady *Altyre*, which seems to be a mistake for Guiltree. [3] Culzean Charters, No. 239. [4] *Rot. Scot.*, 582a. [5] *Reg. Mag. Sig.* [6] *Ibid.* [7] *Exch. Rolls*, xiv. and xv., pp. xiv, 597. [8] *Ibid.*, xv. pp. vii and 18. See *Tytler* (Eadie's ed.), ii. 194 and xv. pp. lxvii and 614. [9] *Ibid.*, xv. 614. [10] *Acta Parl. Scot.*, ii. 281 *et seq.*

battle beside Linlithgow, and aiding and abetting the late Earl of Lennox in his unsuccessful attempt to rescue James V. from the Angus faction.[1] The Earl's lands were forfeited and given to the Earl of Arran, but he never seems to have occupied them. Like most chiefs of the period, he had to provide surety for many of his followers concerned in crimes, and he several times compounded for the fines which they incurred.[2] The Earl was in Edinburgh on 24 August 1527,[3] and in the following month he was assassinated by Sir Hugh Campbell of Loudoun, Sheriff of Ayr, at Prestwick, probably when holding Court there.[4] For this murder revenge was taken by the Kennedys according to an oath traditionally said to have been taken by the clan under the dule-tree of Cassillis.[5] The Sheriff was outlawed on 5 October 1527, and other Campbells as well as Crawfords were punished, and on November 13, 1527, many others suffered for intercommuning with them. It appears that the Sheriff was a supporter of the Angus faction.

The second Earl of Cassillis married Isabella, second daughter of Archibald, second Earl of Argyll,[6] and by her, who was living in 1529, had issue:—

1. Gilbert, third Earl of Cassillis.
2. *Thomas*, who is named as a hostage in England, 1543-45, for his eldest brother. He died before 2 November 1560.[7] According to some accounts he was slain at the battle of Pinkie.
3. *David Kennedy* of Culzean, who appears in an assize for valuation of certain lands in Wigtownshire 17 December 1556, and as bailie depute of Carrick 1557-58.[8] He was one of the hostages for the Earl in England 1543. He was alive 19 January 1562, when he witnesses a contract between Quintin, Abbot of Crossraguel, and Sir Hugh Kennedy of Girvanmains, as to salmon fishings in Girvan.[9] He got a charter of the lands of Culzean from his brother, Earl Gilbert, dated 30 September 1542, and confirmed by James V.

[1] *Acta Parl. Scot.*, ii. 317a. [2] Robertson's *History of Ayrshire*, 6. [3] *Reg. Mag. Sig.* [4] Protocol Book of Gavin Ross, MS., ii. f. 8a. [5] Robertson's *Early Ayrshire*; Pitcairn's *Criminal Trials*, 7. [6] *Reg. Mag. Sig.*, 6 July 1535. [7] Culzean Charters, No. 588. [8] *Reg. Mag. Sig.* [9] *Crossraguel Charters*, i. 136.

1 October 1542.[1] He married Janet, daughter of Duncan Kennedy of Daljedburgh, was infeft in Dalquharran, Daljedburgh,[2] and had issue three daughters, *Margaret*, *Egidia*, and *Katherine*. The daughters' names and their husbands are mentioned as heirs-portioners of their father in the summons of declarator dated 2 February 1590,[3] at the instance of David M'Gill against the Earl of Cassillis and others.

4. *Quintin*, Abbot of Crossraguel. He was the churchman who publicly disputed with John Knox at Maybole for three days on the subject of the sacrifice of the mass,[4] for which service he was not canonised, as some say.[5] He was educated at St. Andrews (1540). He completed his studies in Paris, and was a friend of John Davidson. His uncle, Abbot William, on his return appointed him Vicar of Girvan, and on the death of his brother Thomas at the battle of Pinkie he was presented to the benefice of Penpont; but Mackenzie is wrong in saying he was Prior of Whithorn.[6] He succeeded his uncle William as Abbot of Crossraguel. His election as abbot was confirmed by the Father Abbot of the Cluniac order in Scotland on 1 January 1547-48; on 1 February following he was formally put in possession of the monastery,[7] and then discharged the Earl of Cassillis of all sums of money, goods and gear, including those belonging to the late Abbot William, intromitted with by him during his guardianship. On 28 January 1547-48 he resigned the office of Parish Clerk of Colmonell in favour of his younger brother Hugh.[8] He was thrice present in the Privy Council 1548, after the defeat of the Scots at Pinkie.[9] He wrote many learned and religious books,[10] and he did his utmost to defend his monastery on establishment

[1] Culzean Charters, Nos. 432, 434, 436. [2] For infeftment in Culzean, 1 Oct. 1542, see *Reg. Mag. Sig.* [3] Culzean Charters, No. 991. [4] *De Rebus gestis Scotorum*, Leslaeus, 540, John Knox's account. [5] He has been confused with St. Kinetus of Eremita of the sixth century. [6] Mackenzie's *Lives of Scots Writers*, 60. Gift by him to Earl of Cassillis of the non-entries of Knockgarron and Altichappel; Cul. Mun., 519; *Crossraguel Charters*, i. 105-107, 19 May 1548; *Ibid.*, i. 103; Cul. Charters, No. 516. [7] Protocol Book of Henry Prestoun, f. 6. [8] Protocol Book of Henry Prestoun, f. 4. [9] *P. C. Reg.*, iii. 60-67. [10] For list of his works *see Crossraguel Charters*, i. 42.

of the Reformed Religion in 1560.[1] He was, together with the Earls of Cassillis and Eglinton, and many others, parishioners of Maybole, Girvan, Kirkoswald, and Dailly, condemned by the first General Assembly of the Reformed Church, 27 December 1560. He challenged Willock to a controversy at Ayr in 1559,[2] and sent a whole cartload of books to the market-place there, to overwhelm him. Willock waited till ten in the morning for his opponent, who on his arrival found the preacher flown, and nailed a protest to the market cross. Abbot Quintin died at Crossraguel 22 August 1564.[3] There is no authority for the statement that he met his end by poison.

5. *Archibald*, exempted from process so that he might go to France with his brother Gilbert, third Earl of Cassillis, and Sir Hugh Kennedy of Girvanmains.[4]
6. *Hugh* of Barquhany, married Katherine Bailey, with issue.[5] He was apparently living in 1578.[6] He had issue. He is mentioned in the *Historie of the Kennedyis* as helping the Earl of Cassillis to conquer Glenluce Abbey. As appears from confirmation, dated 4 February 1555-56, of a charter by Malcolm M'Kee of Craighlaw, he bought the four merk land of Camquhart, in barony of Loncastell, in Wigtownshire. He had a town house in Maybole, 1574.
7. *James Kennedy* of Uchtrelure, married Agnes Johnstone before 10 February 1560.[7] They had two daughters, heirs-portioners.[8] He was alive on 19 January 1562, but he died before 17 August 1572.[9]
8. A daughter married to Thomas M'Clelland of Bomby.[10]

[1] *Crossraguel Charters*, i. 124, 125, and *Books of the Universalle Kirk of Scotland*, pt. i. p. 5. [2] M'Gavin's *Life of Knox*, 529. [3] *Crossraguel Charters*, i. 139, 140 *note*, and 177-178, and *Davidius Camerarius Scotiæ de Scotorum Fortudine*, 168, 277, Paris, 1631. [4] 12 December 1552; *P. C. Reg. of Scotland*, i. 135. [5] *See Crossraguel Charters*, ii. 13, 14, 17, 19, and 20, 35; and Cul. Charters, No. 807. *Ibid.*, 590, shows that as one of the bailies there he was merely charged to give sasine; *Reg. Mag. Sig.*, for trial and sentence of him and David Kennedy and two hundred others, 30 July 1551, for celebrating mass at Kirkoswald and Maybole, April 1563; *see* Robertson, i. 16; *Reg. Mag. Sig.*, *see* App. and *P. C. Reg.* 214 and 226. [6] Cf. *Reg. Mag. Sig.*, 8 November 1578. [7] *Reg. Mag. Sig.* [8] Cul. Charters, No. 594, *see also* 591, 2 November 1560. [9] *Reg. Mag. Sig.*, 18 February 1577. [10] Culzean Charters, No. 399 and *note*.

9. A daughter contracted to (Thomas), eldest surviving son of Alexander Kennedy of Bargany.[1]

10. *Helen*, married, before 1549,[2] to William Adair of Kinhilt. On 24 November 1571 they were infeft by Lord Cassillis in the lands of Larg-Stewart and others in Wigtownshire.[3]

Janet Kennedy, wife of Fergus M'Dowell of Freugh, is also said by the *Historie of the Kennedyis* to be another daughter.[4]

V. Gilbert, third Earl of Cassillis, was born in 1515, and was served heir to his father 14 October 1538. He was educated at St. Andrews, and was in 1528, though only a lad of thirteen, compelled to sign the death sentence of Patrick Hamilton, Abbot of Ferne, who was burned at St. Andrews for heresy.[5] He succeeded his father as Crown Chamberlain of Carrick, Leswalt, and Menybrig, and his accounts as such appear between the years 1528 and 1556-57.[6] He received numerous charters and grants of land, as well as commissions of bailiary and justiciary. He was a man of affairs, and attended the Parliaments of Scotland with considerable regularity from 1535 to the close of his life.[7] He was a pupil of the celebrated Mr. George Buchanan, afterwards tutor of King James vi., and with him, who had a high esteem for the Earl, travelled abroad for some years, returning to Scotland in May 1537. A few years later he resigned his estates of Cassillis and others in the hands of King James v., who on 6 February 1540-41 gave him a series of regrants to himself, his wife, and the lawful heirs-male of his body, with destination to his brothers Thomas, David, Quintin, Archibald, Hugh, and James successively, and the heirs-male of their bodies, whom failing, to James Kennedy, their uncle, then to Thomas Kennedy of Coiff, their uncle, then to Hugh Kennedy of Girvanmains, William Kennedy of Glentig, Alexander Kennedy of Bargany, and James

[1] Culzean Charters, No. 283; *Family Hist.*, 33. [2] *Acts and Decreets*, xlvi. f. 178. [3] Cul. Charters, Nos. 772 and 773; *see* Balfour ms.; *see Reg. Mag. Sig.* for other charters; Cul. Charters, No. 606; Milne, 34, 6, 12, p. 296. [4] Cf. *Reg. Mag. Sig.*, 13 November 1546; 6 September 1548. These ladies may have been previously married to Thomas M'Clelland and Thomas Kennedy. [5] Knox's *History*, 318. [6] *Exch. Rolls*, xv. 414; xix. 21, *passim*. [7] *Acta Parl. Scot.*, ii. *passim*, between 1535 and 1558.

Kennedy of Blairquhan, all successively, and to the heirs-male of their bodies, whom all failing to the Earl's own nearest heirs-male whomsoever.[1]

The Earl was one of the Scottish nobles taken prisoner at the Rout of Solway Moss 24 November 1542, and was committed to the custody of Archbishop Cranmer, by whom it is said he was converted to Protestantism. In June 1543, after the death of King James v., he was set free, at a ransom of £1000,[2] having signed or consented to a bond binding him and others to forward the schemes of the English King to become overlord of Scotland, and to obtain possession of the young Queen. The efforts of the Earl to carry out this agreement, in conjunction with the Earl of Angus and other prominent Scottish nobles, though persisted in by him for a time, failed to produce the desired effect. Their intrigues are well known to history, as well as the divided counsels and treachery which marred their statesmanship, though it is certain that the Scottish nation would never have consented to the arrangement proposed. Cardinal Beaton on this point was the true representative of Scottish opinion, and so early as April or May 1545 his assassination was freely spoken of. In May 1545 Cassillis made an offer to the English council to have the Cardinal assassinated, and received the reply that 'the King did not mislike the offer,' while Crichton of Brunstane, a former instigator of Beaton's murder, and the Earl, are found using the same cypher, which Crichton had arranged with the English agents. The Earl's desire as to the cardinal's destruction, however, seems to have cooled at a later date, but the English party in Scotland, including the Earl, cannot be absolved from double dealings towards both countries. Hertford's invasions in 1544 and 1545 had no effect, and the cardinal's murder, which did take place on 29 May 1546, also produced no change in the situation. In the taking of St. Andrews Castle which followed the siege of 1547, a register was found of those noblemen and gentlemen who had secretly bound themselves to the service of England. Among these was the name of Cassillis, although in August 1546 he had sworn allegiance to

[1] *Reg. Mag. Sig.*, at date. [2] When in 1545, he went to London, to obtain release of his hostages, it appears he was discharged of this ransom.

Arran's government and apparently approved of the dissolution of the English marriage. As one result of the discovery of the book, a correspondent on 10 August 1547 wrote to the Protector Somerset that Cassillis and other English partisans were in danger unless the advance of the English army was hastened. The battle of Pinkie and defeat of the Scots appears to have altered the position, and later in January and February 1547-48 the Earl was taking part with Arran against the English.[1]

The Earl, while engaged in these public plots, was not unmindful of his own interests. After his return from captivity in England, he in August 1543 strengthened his position in the home country, by obtaining a bond of manrent from Hugh Campbell of Loudoun, containing the usual offers of service in terms of a reconciliation between the parties, made, it is said, at the request of the King of England and of the Governor and Council of Scotland.[2] Later the Earl took part in a dispute with Andrew Agnew, Sheriff of Wigtownshire, as to the rights of jurisdiction over the territories of Glenluce Abbey, in the course of which he trespassed on the abbey precincts with an armed force. The matter was settled by Cassillis being allowed to use his office of bailiary, but not to deal with the abbey rents, etc.[3]

The Earl was appointed Lieutenant of the South in December 1548, and on 20 April 1550, owing to the peace with England and the recovery of the fortresses, he was thanked for his services, and relieved from the office.[4] He was one of those who accompanied the Queen-mother, Mary of Lorraine, on her visit to the French Court in September 1550, when he was made a Knight of the Order of St. Michael. In the following year, or in March 1551-52, he was appointed one of the Scots Commissioners for the settlement of the Debateable Land.[5] In December 1552, he was Lieutenant-general of the Army ordained to assist the French King, and as an officer on foreign service had special immunities from legal actions during his absence.[6] In 1554, he was appointed Lord High Treasurer of Scotland, a post which he held till his death.[7] In 1557,

[1] *Cal. of Scot. Papers*, i. Nos. 33, 129, 164. [2] Culzean Charters, No. 448; *Hamilton Papers*, ii. 5. [3] *P. C. Reg.*, i. 3, 4, 7, 42. [4] *Ibid.*, 98, 99. [5] *Ibid.*, 119-121. [6] *Ibid.*, 134, 135. [7] *Reg. Mag. Sig.*; *Lord High Treasurer's Accounts*, MS.

he was one of those who resisted a proposed invasion of England, and in June of that year he declared to Lord Westmoreland, one of the English Commissioners, that he would not be French, and that the Scots 'would dye every mother's sonne of us' rather than be subject to England.[1]

The Earl was one of the Scots Commissioners appointed by the Parliament of 14 December 1557, and sent to France to negotiate Queen Mary's marriage with the Dauphin, and as such was a party to the marriage-contract at the Louvre on 19 April 1558, but was one of the commissioners who met with a mysterious death at Dieppe on their way home. They had refused to consent to the proposal that the Crown-Matrimonial of Scotland should be granted to the Dauphin, and it is supposed they were poisoned. The Earl is said to have died on 28 November 1558, but the exact date is not known, though it was reported in Scotland between the 29 November and 5 December 1558.[2] He is described as 'ane particular manne, and ane werry greidy manne, and cairritt nocht how he gatt land so that he culd cum be the samin.'[3] The Earl married Margaret Kennedy, daughter of Alexander Kennedy of Bargany, after the death of her first husband, William Wallace of Craigie, between 1539 and 1541.[4] She survived the Earl, her testament being confirmed 12 January 1596-97.

The Earl had issue:—

1. GILBERT, who succeeded as fourth Earl.
2. *David*, who died an infant.
3. SIR THOMAS, of Culzean, of whom later. From him the present family of Cassillis is descended.
4. *Jean*, married, in 1561, to Robert Stewart, first Earl of Orkney. He was a natural son of King James V.[5]
5. *Katharine*, married in 1574 to Sir Patrick Vaus of Barnbarroch, and had issue.[6]

The Earl had also a natural son *John*, styled of Grenare,[7] who had a pension of £222 from the benefice of Glenluce.[8]

VI. GILBERT, fourth Earl of Cassillis, sat in the Parlia-

[1] *P. C. Reg.*, i. 198. [2] *Acta Parl. Scot.*, ii. 511, 518. [3] *Historie of the Kennedyis.* [4] *Acts and Decreets*, vii. ff. 173, 174; xxiii. f. 298; *Reg. Mag. Sig.*, 6 February 1540-41. [5] *See* vol. i. of this work, p. 24, and *title of* Orkney. [6] Culzean Charters, No. 1019. [7] *Deeds*, xxxiv. 34. [8] *Crossraguel Charters*, ii. 67, 68; Culzean Charters, No. 780.

ment of 29 November 1558, as Master of Cassillis,[1] but he was apparently under age on 5 November 1559, when his curators ratified certain contracts between him and his mother.[2] He became of age between that date and 15 October 1562, when he was served heir to his father.[3] He succeeded his father as Chamberlain of Carrick, etc.[4] He adhered to the Roman Catholic faith, as he was condemned by the General Assembly of the Reformed Church on that score,[5] and he continued devoted to the Queen's service,[6] fought for her at Langside, for which he was forfeited, was still 'stubborn' after her defeat there, and joined with other nobles in writing letters of devotion and good heart to her after her flight to England. He held out from complete allegiance to the new Government until the spring of 1571, when he was forced by Lennox at the head of a large force to surrender and suffer imprisonment until about 25 August 1571, when he joined the King's party, and his forfeiture was not carried out.[7] After Mar became Regent the Earl continued his support to the Government.

He is said to have been popularly styled the 'King of Carrick,' and he appears to have been a forceful personage. Perhaps on that account he was appointed as his father's successor in the bailiary of the Abbey of Glenluce, which had been disturbed by John Gordon of Lochinvar, the inmates expelled, and the worship interdicted. The recently appointed abbot, Thomas Hay, and his forlorn comrades were provided for by the Earl in his religious house at Maybole, and he also gave a generous donation towards the repair of their abbey. For this he received the bailiary of their lands, and later on tacks of their benefice, at an apparently yearly rental of 1000 merks and other dues, but other writs seem to show that the rent was largely nominal.[8] But the deed for which the Earl is chiefly remembered is his alleged roasting of Alan Stewart, Abbot of Crossraguel, on a fire in the Black Vault of

[1] *Acta Parl. Scot.*, ii. 503. [2] Culzean Charters, Nos. 576, 577. [3] *Ibid.*, No. 616. [4] This and other items noted below are to be found in *Cal. of Scottish Papers*, i., ii., iii. [5] *Book of the Universall Kirk*, i. 5. [6] He was one of those who signed the famous Bond, 20 April 1567, in favour of her marriage to Bothwell; Fraser's *Melville Book*, i. 89 *n.* [7] *Acta Parl. Scot.*, iii. 63. [8] *Arch. Coll. of Ayrshire*, etc., v. 148, 177, 178; cf. x. 207, 208.

Dunure, and compelling him to sign tacks or charters of the abbey property in favour of the Earl.[1] There can be no doubt the Earl took cruel and violent measures to obtain the abbot's signature, but a full statement of the case, which is too long to be narrated here, would show that the abbot was playing a double game, and repudiating and altering the destination of writs and tacks made by his predecessor in favour of the Earl, who in exasperation used extreme means to gain the abbot's signature. The muniments now in the Culzean charter-chest show that the abbot was not entirely a loser in the transaction.[2] He was, however, detained at Dunure for nearly three months, and was at last released in November 1570 through the efforts of Thomas Kennedy of Bargany, who assembled an armed force, and rescued the abbot, who, when at liberty, immediately revoked all he had been forced to do. The Earl was cited before the Privy Council, and decerned to find security to let the abbot alone, and also for a sum due to his old preceptor Mr. George Buchanan. It may be added that the Earl gained his end in a less extreme manner by an arrangement with James Stewart of Cardonald, to whom Abbot Alan had made tacks with a view to divert the abbey lands from the Earl. The latter paid Stewart 3700 merks,[3] and received the charters of the abbey.[4] Later he became, also by purchase, proprietor of the whole or greater part of the abbey lands, which were confirmed to him on 10 January 1575-76.[5]

The Earl did not long survive his acquisition of the Crossraguel regality, dying on 12 December 1576,[6] the result, it is said, of his horse falling with him. By his will he appointed his brother-in-law, John, Lord Glamis, tutor to his son, a boy of eight years old.[7] The Earl was, on 10 July 1546, while very young, contracted to marry Jean Hamilton, daughter of James, Earl of Arran, but that marriage did not take place,[8] as he married (contract 30 September 1566) Margaret, only daughter of John Lyon, seventh Lord Glamis, who survived him. She married again (before 12 August 1579) John

[1] For the abbot's story *see P. C. Reg.*, xiv. 91-95. [2] *Crossraguel Charters*, i. 137-200; ii. 1-55, where the whole of the transactions are detailed. [3] Cul. Charters, No. 904. [4] *Crossraguel Charters*, ii. 11-15. [5] *Reg. Mag. Sig.* [6] *Acts and Decreets*, lxxv. f. 263. [7] *P. C. Reg.*, i. 42, 43. [8] Jean Hamilton married Hugh, third Earl of Eglinton. (*See that title.*)

Hamilton, afterwards first Marquess of Hamilton, and had issue. She was alive 21 April 1623. They had issue:—

1. JOHN, fifth Earl of Cassillis.
2. *Hew*, who, as Master of Cassillis, is named several times in the records of the period. He took a leading part in the feuds of the family, and was not always on good terms with his brother. The latter and he were reconciled for a time by the murder of their uncle Sir Thomas Kennedy of Culzean, and it was proposed that Hew should retaliate by taking the life of Mure of Auchindrane, the Earl pledging himself by a bond dated 3 September 1602 to reward him with a payment of 'tuelff hundreth merkis zeirlie,' besides other advantages.[1] He and his sister-in-law the Countess of Cassillis were on 21 May 1603, beset by the Kennedys of Bargany and their faction, and were compelled to take refuge in the house of Auchensoul, in the parish of Barr, which was besieged and burned over their heads. The Countess and her party surrendered, and were compelled to give bonds for large sums ere they were set at liberty, though the bonds were afterwards judicially declared to be void.[2] At what date Hew, Master of Cassillis, died is not exactly known, but he was dead before 25 March 1607, when his eldest son *John* was charged to enter his heir for payment of a bond of date 1603.[3] He married (contract dated at the Garthland 2 September 1600) Katherine, daughter of Uchtred M'Dowall, and sister of John M'Dowall of Garthland, her mother, Euphemia Dunbar, being also a party.[4] His wife survived him, and married Sir James Stewart of Killeith, who became Lord Ochiltree. (*See that title.*) The Master had issue:—

    (1) JOHN, who became sixth Earl of Cassillis.
    (2) *Gilbert*, who is mentioned in March 1617 as a student of

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[1] Pitcairn's *Criminal Trials*. Original at Barnbarroch. [2] *Hist. of the Kennedyis*; *Acta Parl. Scot.*, iv. 267-273; *P. C. Reg.*, v. 577. [3] *Acts and Decreets*, ccxxx. f. 260; *Gen Reg. Inhib.*, 18 April 1609. [4] *Reg. of Deeds*, xciv., 21 December 1601. This writ proves that it was Hew who married and carried on the line of the family, and renders doubtful the existence of a third son, Gilbert, who, according to Douglas, married Catherine M'Dowall.

Glasgow University, and is then described as the only brother of the Earl of Cassillis.[1] He is referred to as 'my Lord of Cassillis brother Gilbert,' in an account of 9 March 1632, by a Stranraer tailor.[2] Nothing more has been discovered concerning him, and he is not named in the regrant of 29 September 1642, cited below.

VII. JOHN, fifth Earl of Cassillis, was only eight years old when he succeeded his father, who provided him with a tutor in the person of his maternal uncle, John, Lord Glamis, passing over his uncle on his father's side, Sir Thomas Kennedy of Culzean, who had pretensions to the earldom.[3] But Lord Glamis was, in March 1578-79, killed in a street brawl in Stirling, and Sir Thomas became the tutor of his nephew till he attained majority the following year. He seems to have been greatly disturbed by feuds with neighbouring families, and this continued almost to the close of his life. Owing to an old feud with the Gordons of Lochinvar, originating in a dispute about the Abbey of Glenluce, which still raged, it was in 1580 considered hazardous for the legal service of the young Earl to his estates in Kirkcudbright to be carried out there, and it was ordered to be done in Edinburgh.[4] In 1577 he made up titles to numerous lands, and he was Chamberlain of Carrick like his predecessors.[5] Some years after his service he was obliged to pay debts incurred by his father and grandfather, the first being £5000 as one of the sureties in 1473 that Lords John and Claud Hamilton would deliver up the castles of Hamilton and Draffen, the other debt being a sum of £6720 incurred by the third Earl in France in 1558, and payable to Timothy Cagnioli, the well-known banker.[6]

Apart from feuds, there is little in his career to chronicle, but one important episode in his history was his appointment to the post of High Treasurer in April 1599 through the influence of his wife.[7] That office was a very thankless one in those days, as at this period it almost certainly

[1] *Munimenta Alme Universitatis Glasguensis*, iii. 72. [2] Culzean Charters, additional Inventory, No. 247. [3] The reason alleged for passing over Sir Thomas was that he and some followers fired by night into Maybole Castle, pretending that they were Crawfords of Kerse, with the hope of causing Lady Cassillis to miscarry, she being then *enceinte*, and that the earldom might pass to him. [4] *P. C. Reg.*, iii. 503. [5] *Exch. Rolls*, xx., xxi. [6] *P. C. Reg.*, iii. 716; iv. 67; xiv. 14. [7] *Ibid.*, v. 548-554, and 555 *n.*

brought serious loss to its holder. He speedily repented this step, however, and indeed only held office for a few weeks, and this short space is said to have cost him the sum of 40,000 merks. This last statement is not quite borne out by the *Treasurer's Accounts*, but these show that between April 1599 and January 1604 he paid first a sum of £6000, part of a sum of £12,000, and secondly, a sum of £8000, both by the command of the King, which were probably part of his contract, and enforced against him.[1] After this interlude the Earl again becomes involved in local feuds, one of which ended in the slaying of Gilbert Kennedy of Bargany, by a party consisting of the Earl and some friends on 11 December 1601, in a fight at the Brookloch burn, when Bargany's followers were defeated. His partisans a few days before had laid an ambush with deadly intent on the Earl's own life, but by a ruse he escaped the fate they purposed for him.

This incident led in turn to the murder a few months later on, 12 May 1602, of the Earl's uncle, Sir Thomas Kennedy of Culzean, by Bargany's brother Thomas Kennedy of Drummurchie, at the instance of the famous, or rather infamous, John Mure of Auchindrane. In 1603 he went to London, either in the train of King James, or to take part in the ceremonies of his accession to the English throne, and his enemies took advantage of his absence to make an attack upon his Countess. She, with her brother-in-law the Master of Cassillis and their servants, was, on 21 May 1603, while returning from Galloway to Maybole, suddenly beset by hagbutters and horsemen led by Thomas Kennedy of Drummurchie and the Laird of Auchindrane, and her party being much smaller in numbers, they were forced to take refuge in a house called Auchinsoul in Barr parish. The house was fired, and Drummurchie would make no conditions unless one of the party was delivered up, whom he alleged had slain his brother Gilbert Kennedy of Bargany. But the man, under cover of the smoke from the burning house, escaped on horseback, and went to London, where he put the Earl in 'ane readge' at the indignity offered to his wife. She and the Master were obliged to surrender, and were only released

[1] *Lord High Treasurer's Accounts*, MS. [2] *P. C. Reg.*, vi. p. xlii. 322, 323, 341.

under bonds for large sums of money, which, however, were afterwards declared by the Privy Council to be invalid.[1]

So the record goes on, full of feuds and bloodshed, and the Earl himself so far forgot the proprieties as to make a personal assault on his wife, and drag her out of the Privy Council chamber, in consequence of some dispute about a lease. For this he was warded in Blackness on 1 November 1604, and his unchivalrous conduct was commented on by the King himself, while in the following December he had to find £5000 as surety for his wife's protection.[2] Apart from the local feuds, and the constant attacks arising out of them, which are noted in the records, there is little further to chronicle regarding the Earl, except a feu grant of the lands of Inch and others in Wigtownshire, including Saulset, an old foundation of Fergus, Lord of Galloway, which had belonged to the Earl and his ancestors from before the memory of man, and which had come to the King through the annexations of kirk lands.[3] His last attendance in Council was on 30 March 1615, and he died, it is said, in October, certainly before 14 November of that year, when the ward of his successor was granted to James, second Marquess of Hamilton.[4]

His uncle, the Master of Glamis, in February 1590-91, proposed to marry him to the sister of the young Earl of Argyll, but this plan was hindered by the Chancellor, then John, first Lord Maitland of Thirlstane,[5] and the Earl married, contract 4 November 1597,[6] Jean, only daughter and heiress of James, fourth Lord Fleming, and widow of the same Chancellor, who had died 3 October 1595. (*See title* Lauderdale.) She was much older than the Earl, but was wealthy. She died, it is said, 23 June 1609, aged fifty-five, and was buried at Haddington.[7] She was certainly dead before 22 August 1611.[8] The fifth Earl of Cassillis had no issue, and was succeeded by his nephew,

VIII. JOHN, sixth Earl of Cassillis, eldest son of his brother Hugh, Master of Cassillis. He is first named in

[1] *Acta Parl. Scot.*, iv. 267-273; *P. C. Reg.*, vi. 577. [2] *P. C. Reg.*, vii. 16, 464, 580. [3] *Reg. Mag. Sig.*, 20 June 1605. [4] *P. C. Reg.*, vii. 406. [5] Letter 13, Feb. 1590-91, Bowes to Hunsdon, *Border Papers*, i. 375. [6] Recorded 16 Dec. 1597, *Reg. of Deeds*, lxi. [7] Douglas, ii. pp. 634, 635. [8] *Reg. Mag. Sig.*, at date.

March 1607, when he was charged by one of his father's creditors to enter heir.[1] He was served heir to his uncle[2] on 25 July 1616 in Dunure and other lands.[3] From an Act in favour of the University of St. Andrews, 1621, it appears that the Earl had (probably as the representative of the founder, Bishop Kennedy) rights and privileges in regard to St. Salvator's College, and to prebendaries within the same, and these were specially reserved in his favour.[4] On 3 December 1621 he had a royal dispensation for his service in minority as heir to his uncle, and other ancestors,[5] and a retour followed on 1 February 1622, and applies to Cassillis and other lands. On 25 January 1623 he was retoured heir of his grandfather, Earl Gilbert, in the office of Keeper of the Castle of Lochdoon.[6] During the first few years after this he appears at meetings of the Privy Council and Conventions of Estates, and took an industrious part in public affairs. On 24 January 1629 he had a licence to travel for five years in France, Germany, and the Netherlands for his instruction in languages, but he does not appear to have taken advantage of it, as on 18 July 1629 he and the Earl of Wigton were charged with tumultuous convocation in the burgh of Edinburgh. Later, in 1631, he is referred to as taking his mother, wife of James, Lord Ochiltree, who was in ward for malicious charges made against the Duke of Hamilton, under his protection, and providing for her and her children.[7] On 21 April 1630 he craved advice from the Council as to how to deal with certain gipsies, in his capacity of bailie-principal of Carrick. It is possible that some such trouble, distorted by tradition, gave rise to the legend about his first Countess, afterwards cited.

He had, as usual, various charters of land. Passing over other less important writs, which will be found in the records, the Earl had, on 29 September 1642, a regrant of all his lands and baronies, *nominatim*, with his various heritable offices, united and erected into one free earldom and lordship, to be called Cassillis. The whole earldom was

[1] *Acts and Decreets*, vol. 230, f. 260. [2] In the printed *Registrum Magni Sigilli*, at 6 March 1618, the fifth Earl of Cassillis is wrongly referred to as *father* of the sixth, owing to a misprint of *patris* for *patrui* of the original record. [3] *Retours*, *Ayr*, No. 153. [4] *Acta Parl. Scot.*, iv. 683. [5] *P. C. Reg.*, xii. 616. [6] *Retours*, *Ayr*, Nos. 212, 220. [7] *Ibid.*, second series, iv. 352, 358.

resigned by the Earl, and in terms of his resignation was now granted and destined to himself in liferent, and to James, Lord Kennedy, his eldest son and heir-apparent, and the heirs-male of his body, whom failing, to revert to the Earl and the lawful heirs-male of his body, whom failing, to the eldest lawful daughter of James, Lord Kennedy to be begotten of his body, and to the heirs-male of her body bearing the name and arms of Kennedy of the house and family of Cassillis, whom failing, to the eldest daughter and heirs-female of said daughter, without division, bearing the said name and arms, and the heirs-male of her body, whom failing, to the other daughters of James, Lord Kennedy, according to order of age and the heirs-male and female of their bodies, whom failing, to the daughters of the Earl, and the heirs-male and female of their bodies, whom failing, to the Earl and his heirs-male whomsoever, whom failing, to his heirs and assignees whomsoever. It was also provided that the daughters were not to marry without consent of the Earl or of Jean Hamilton, his spouse, nor to marry any person of another name than Kennedy; and if they were married at the time of their succession, their husbands and heirs were to assume the name of Kennedy and the arms of the house of Cassillis, or to forfeit the succession.[1] This important charter was one ground of the claim made by the Earl of March to the Cassillis Peerage in 1760-62, as it proceeded on a procuratory and deed of resignation by the sixth Earl. A similar entail proceeding upon a procuratory of resignation contained in a marriage-contract between John, the seventh Earl, and Lady Susan Hamilton, daughter of James, Duke of Hamilton, was also founded on, as it had a reference to the grant of 1642. The answers by Sir Thomas Kennedy state that in the procuratory of resignation on which the charter in 1642 proceeded, the title of Honour and Dignity of Earl of Cassillis was not resigned by him into the hands of the Crown, and in consequence no new limitation could be made, or was intended by this grant. The signature or warrant of the charter in the records of the Exchequer showed that it was not superscribed by the King, which was necessary, and the charter was only granted by the Lords of the

[1] *Reg. Mag. Sig.*, at date.

Exchequer, who had power to receive resignations of lands, but not to receive resignations of titles of honour, or make new grants of such. The Earl of March claimed that the lands of Cassillis were not erected into an earldom till the date of this writ. Lord Mansfield agreed with Sir Thomas Kennedy's answers, and that the terms of the resignation declared by Earl John to be 'for establishing the fee of my estate in favour of the heirs hereafter mentioned' have nothing to do with the earldom. No honours were resigned, and therefore could not pass.

The Earl, as has been said, early took part in public affairs, but after 1633 he entered into them with renewed vigour. He was one of the foremost of the Covenanters, and one of the most consistent. He signed the Solemn League and Covenant of 1638; and later, he raised, and apparently commanded, a regiment when war finally broke out between King Charles I. and the Scots. The regiment fought at Alford and Kilsyth, but it is doubtful if the Earl at least was present at Dunbar. Between 1643 and 1649 he was constant in attendance on the Convention of Estates, and its various committees. He was also present at the Westminster Assembly of Divines in 1643. He was preses of the Court of Session at the trial of Sir Robert Spottiswoode in January 1646, and signed the death warrant with the greatest reluctance. In 1649 he was made Justice-General of Scotland, and about the same time was one of the Commissioners sent to Holland to communicate with the young King Charles II. He was one of those summoned from Scotland to attend the Union Parliament of 1657; and again, after Cromwell's death, although he refused to attend Richard Cromwell's installation, as Supreme Magistrate, 27 June 1658.[1]

He was present in the Scots Parliament of King Charles II. 1 January 1661, but refused to take the Oath of Allegiance and Supremacy, without an explanation as to the King's ecclesiastical interests, and was deprived of all his public offices, and declared incapable of any public trust.[2] In 1662 he moved to address the King in favour of his marrying a Protestant, but had only one seconder. Some other refer-

[1] *Acta Parl. Scot.*, 1633-60 (vols. v. and vi.); Baillie's *Letters*, *per* Index.
[2] *Acta Parl. Scot.*, vii. 162, App. 45.

ences deal with debts incurred by him in the public service, but these need not be detailed. He died in April 1668, and is described by Bishop Burnet as a man of great virtue and of a considerable degree of good understanding, had he not spoilt it with many affectations and an obstinate stiffness in almost everything that he did. He was so sincere that he would suffer no man to take his words in any other sense than he meant them.[1] The Earl was twice married, first (contract 21 December 1621 and 7 January 1622) to Jean, daughter of Thomas Hamilton, Earl of Haddington.[2] She died on or about 15 December 1642. About this lady a curious legend has been made current by tradition and by some popular writers to the effect that she eloped from her husband, in his absence at the Westminster Assembly, with a handsome gipsy, Sir John Faa, a former lover; that they were followed and taken; that he was hanged, while the lady was shut up in the family house at Maybole, and remained a prisoner for the rest of her life. But this story is entirely disproved by the fact that she remained the Earl's wife for twenty-one years, and letters from him after her death show his affection and great regard for her.[3] It may be added that the Westminster Assembly did not meet till 1643, after her death.

The Earl married, secondly, Margaret Hay, daughter of William, Earl of Erroll, widow of Henry, Lord Ker, eldest son of Robert, first Earl of Roxburghe. Their marriage-contract was dated on 20 February 1644, at the Scots Leaguer, at Heighton, in England. She survived him, and was buried, 22 April 1695, at St. Martin's-in-the-Fields. The Earl had issue by both wives:—

1. *James*, Lord Kennedy, son by first wife, named in the charter of 29 September 1642. He died before 7 February 1663, *vitâ patris*, and apparently unmarried.
2. JOHN, son by second wife, who became seventh Earl.
3. *Margaret*, who became the wife of Gilbert Burnet, then Professor of Divinity in the University of Glasgow, afterwards Bishop of Salisbury, a famous writer,

[1] Burnet's *History of his Own Time*, Airey's ed., i. 89. [2] Fraser's *Memorials of the Earls of Haddington*, i. 187, 188. [3] See the story and refutation, with authorities, in Fraser's *Memorials of the Montgomeries*, i. Preface, x-xii.

and supporter of William of Orange.[1] She was very witty and accomplished, and also very pious.[2] She married Burnet 1670-71, when well stricken in years. He renounced all pretension to her fortune. She was a great friend of Lauderdale and Sir Robert Moray, and the incident has often been narrated of how she was fired at by some Cromwellian soldiers, whom she reviled for murdering King Charles I. She lived until 1685.

4. *Catherine*, married, in 1653, to William, Lord Cochrane, eldest son of William, first Earl of Dundonald, and had issue. Described in 1672 as second daughter.[3]
5. *Helen*, who died unmarried. In her testament, confirmed 7 February 1663, she names her then living brother and her sisters.[4]
6. *Elizabeth*, described in 1672 as third (surviving) daughter.
7. *Mary*, described in 1672 as fourth daughter.

IX. JOHN, seventh Earl of Cassillis, is first named in the testament of his sister Helen, where he is referred to as Lord Kennedy, showing that his elder brother was then dead. He was served heir to his father on 22 September 1666.[5] He was of the same religious principles as his father, and on 13 August 1670 he was the only one who said 'No' to the Act against Conventicles. Burnet says he was 'heir to his father's stiffness but not to his other virtues.'[6] Like his father he was a regular attender of Parliament, though probably not a favourite with the ruling powers. But on 10 July 1672 he was permitted by Parliament to have two yearly fairs, besides the fair then in use to be held at Maybole, as the head burgh of the bailiary of Carrick.[7] A few months later, on 11 September 1672, an Act was passed ratifying a Crown charter of 24 April 1671, in terms of a resignation in the Earl's marriage-contract of 20 December 1668. The charter granted the earldom and lordship as in the writ of 1642, formerly cited, destining the lands to the heirs-male of the Earl by his marriage

[1] *See* Supplement to Burnet's *History of his Own Time*. Foxcroft, 84, *note*, and 475. [2] *Ibid*., Airey's ed., i. 196; *Dict. Nat. Biog.* [3] *Acta Parl. Scot*., viii. 117. [4] Edin. Tests., at date. [5] *Retours, Ayr*. No. 558. [6] Burnet's *History*, Airey's ed., i. 533, 534. [7] *Acta Parl. Scot*., viii. 65.

with Susan, second daughter of James, Duke of Hamilton, whom failing, to his heirs-male by any other marriage, whom failing, to his heirs-female by that or another marriage, whom failing, to the Earl's sisters Margaret, Catherine, Lady Cochrane, Elizabeth, and Mary in succession, and their heirs-male, whom failing, to their heirs-female, whom all failing, to the Earl's heirs-male, whom failing his lawful heirs and assignees whomsoever.[1] The Earl's covenanting principles brought him into conflict with the Government in 1678. He was ordered to collect the arms within his bailiary and to destroy the meeting-houses, which last he positively refused to do, though the country people themselves demolished the houses to save the Earl's credit, as he was altogether averse to the orders of the Council. He had fifteen hundred of the Highland Host quartered upon his estates, and he was also required to sign a bond that neither he nor any of his family, retainers, or employees would under any circumstances attend a Conventicle. This he refused, and was denounced rebel. He went to London to put his case before the King, and the Scots Privy Council wrote that he should be sent down a prisoner.[2] But this was refused, and a stop was put to further proceedings. Owing to this persecution and to the difficulty of obtaining from the Government repayment of the sums his father had advanced between 1639 and 1650, he was obliged to sell all his Wigtownshire property and a large portion of his Ayrshire estates. He parted with his Wigtownshire estates of Inch and others on 5 September 1674, to John Hamilton, Lord Bargany, who merely acted as intermediary for Sir John Dalrymple of Stair, for £93,712, 6s. 8d. Scots money.[3] It was not until 1681 that steps were taken to relieve him of the debts incurred by his father in the public interest, and he was discharged from all action on account of the money, which was to become a public debt.[4] At the Revolution the Earl

[1] *Acta Parl. Scot.*, 116-118. [2] Wodrow's *History of the Sufferings*, etc., fol. ed., i. 498-505. [3] *Gen. Reg. Sas.*, third ser., vol. 34, f. 216, etc. From the Hamiltons the lands were acquired at the same time by the ancestor of the present Earl of Stair; cf. *Acta Parl. Scot.*, viii. 225, where in July 1678 Cassillis is Commissioner for Ayr and not of Wigtown. The disposition of Bargany in favour of Sir John Dalrymple, younger of Stair, is dated 5 September 1674, and registered in the Books of Council and Session 14 July 1688. [4] *Ibid.*, 355.

took a more active part in affairs, and from 1689 onwards he appears frequently on Parliamentary and Treasury business. In 1695 he granted a lease to some London and Edinburgh merchants to work minerals on his estates.[1] In 1698, after his son's marriage, he made an entail similar to those already cited, to himself in liferent, and to John, Lord Kennedy, his son, in fee, and to their respective heirs-male, whom failing, to their heirs-female, and to the heirs-male of the successive heirs-female. He attended to public business to the last, as he was present in Parliament on 16 January 1701,[2] and died 23 July same year. The seventh Earl married, first, contract dated 20 December 1668, Susan, youngest daughter of James, first Duke of Hamilton. He married, secondly, 27 February 1697-98, at St. Paul's, Covent Garden, Mary Fox,[3] daughter of John Fox of Lincoln's Inn Fields. She became somewhat notorious in London society, first in 1728, when she was arrested at the instance of her milliner, and again in 1745, for keeping a gaming-house and resisting its suppression, which caused a resolution by the House of Lords that in such cases it should be unlawful to claim privilege of Peerage against prosecution. She died 12 September 1746.[4] The Earl had issue:—

1. *John*, Lord Kennedy, who is mentioned as a Commissioner of Supply for Ayrshire in 1695.[5] He died in 1700, having married (articles of marriage dated 15 June 1697 and contract 13 September 1698[6]) Isabella or Elizabeth, daughter of Charles Hutchinson of Owthorpe, co. Nottingham. She survived him, and married, 22 March 1701, John, Earl of Selkirk and Ruglen. She died 10 March 1733-34. Lord Kennedy had issue:—

   (1) JOHN, who succeeded his grandfather.

2. *Charles*, a colonel in the army, died 10 October 1739.[7]
3. *James*, son by second marriage, who died without issue before 1759.

[1] *See* Culzean Charters. [2] *Acta Parl. Scot.*, x. 247. [3] *See* facsimile of her signature, *Misc. Genealogica et Heraldica*, N.S. (1874), i. 113. [4] *House of Lords Journals*, 1 February 1728 and 29 April 1745; Robertson's *Peerage Proceedings*, 246. [5] *Acta Parl. Scot.*, ix. 374, 456. [6] Registered in Books of Council and Session 20 August 1759. This contract is postnuptial. Culzean Charters, Nos. 1759, 1764. [7] *Gentleman's Magazine*, where he is described as eldest son of the Earl of Castles in Scotland.

4. *Anne*, daughter by first marriage, married, contract 21 June 1694, to her cousin John Hamilton, Earl of Selkirk, and had issue.
5. *Elizabeth*, daughter by second marriage.
6. *Mary*, baptized 29 January 1698-99 at St. Giles-in-the-Fields, co. Middlesex.

X. John, eighth Earl of Cassillis, who succeeded, was the grandson of his predecessor. He was born in April 1700, and was, while an infant, served heir to his father, John, Lord Kennedy, on 22 February 1704. He held the office of Governor of Dumbarton Castle. At the abolition of heritable jurisdiction he made a large claim, but was only allowed £1800 for his bailiary of Carrick. On 29 March 1759 he made an entail of his estates, with destination, after his own heirs-male and female, to Sir Thomas Kennedy of Culzean, Baronet, and the heirs-male of his body, whom failing, to Mr. David Kennedy, advocate, brother-german of Sir Thomas Kennedy, and the heirs-male of his body. The Earl died in London 7 March 1759, and was buried in St. James's Church, but his remains were removed in June 1760 to the Church of Maybole. He married, contract 25 September and 6 October 1739, his cousin Susan, youngest daughter of John Hamilton, Earl of Selkirk and Ruglen, by Ann, daughter of John, seventh Earl of Cassillis. By her, who survived him, and died 8 February 1763, he had no issue.

After the Earl's death a contest arose for his title and estates between two competing claimants. The first was William, Earl of March and Ruglen, afterwards Duke of Queensberry, grandson and heir of Anne, Countess of Selkirk and Ruglen, daughter of John, seventh Earl of Cassillis, thus holding the place of heir of line. He founded on the entail, already cited, of 5 September 1698, and assuming the title of Earl of Cassillis, Ruglen, and March, prepared to have himself served heir of tailzie and provision to the eighth Earl. In this he was opposed by the second claimant, Sir Thomas Kennedy, a descendant of Sir Thomas Kennedy of Culzean, who was the second son of the third Earl of Cassillis, who claimed as heir-male, and who obtained service as heir-male of the eighth Earl, in terms of the latter's entail of 29 March 1759. The Earl of March

brought an action to reduce that deed on the plea that it was contrary to the entails of 1642, 1671, and 1698, under which he asserted the eighth Earl held the estate, and which he contended the Earl had no power to alter. But the Court of Session, on 29 February 1760, by the narrowest majority, found that the eighth Earl could lawfully make the settlement proposed to be reduced, and assoilzied the defender. This judgment was affirmed by the House of Lords, and established Sir Thomas Kennedy's right to the estates. Both claimants then petitioned the King for the titles and honours of Cassillis, which were on 27 January 1762 adjudged by the House of Lords to belong to Sir Thomas Kennedy as the heir-male, the title being presumed to descend to the heirs-male of the original granter. Sir Thomas therefore became the ninth Earl of Cassillis, his descent being as follows:—

THOMAS KENNEDY, second son of the third Earl, for a time known as 'Master of Cassillis.' He is said to have been taken prisoner at the battle of Langside, fighting on Queen Mary's behalf.[1] He had a charter of the lands of Culzean from his brother Earl Gilbert, received sasine 14 September 1569,[2] and he is generally known as Thomas Kennedy of Culzean. He was served tutor at law to the fifth Earl 16 March 1578-79.[3] He was raised to the rank of Knighthood at the Coronation of Queen Anna on 17 May 1590.[4] He took an active part in the feuds which affected his family, and these at last brought about his own murder by the treachery of John Mure of Auchindrane on 11 May 1602.[5] He married, between 16 March and 28 April 1579, Elizabeth M'Gill, daughter of Mr. David M'Gill, King's Advocate, styled variously of Lochcotes, Nisbet, and Cranstoun Riddell. She had been the wife of Robert Logan of Restalrig, afterwards implicated in the Gowrie Conspiracy, whom she had married some time before November 1576,[6] and who was still alive. On 16 March 1578-79 she was living as her father's housekeeper, and during his absence Thomas Kennedy came with an armed force and carried her off.

[1] *Cal. of Scottish Papers*, ii. 405-407. [2] Culzean Charters, No. 736. [3] *Acts and Decreets*, lxxiii. f. 417. [4] *P. C. Reg.*, iv. 481. [5] Pitcairn's *Criminal Trials*, iii. 125-196. [6] *Reg. of Deeds*, xv. f. 307.

On 28 April the culprits appeared in Court, and she declared she had gone off with Kennedy by her own free will, to be married to him, and he stated that they were married.[1] She survived Sir Thomas, and became the second wife of William Mure of Rowallan.[2]

Sir Thomas had by Elizabeth M'Gill the following issue:—

1. *Thomas*, who is named in a charter of 23 August 1597 as the eldest son.[3] He died before his father in 1601, unmarried.
2. *James*, who succeeded to Culzean, on the death of his father. He was served heir to his brother Thomas, younger of Culzean, on 18 May 1602,[4] and is afterwards styled apparent of Culzean. He took a leading part in attempts to revenge his father's death, and punish the murderers by legal and other measures. He certainly, if tradition be correct, was the original means of bringing the Mures of Auchindrane, the enemies of his house, to justice. In July 1622 he sold the estate of Culzean to his younger brother Alexander, and acquired from Josias Stewart of Bonytoun, the estate of Blairquhan, but this estate was apprised from him 31 January 1623.[5] He was alive on 5 April 1632,[6] and died before 12 October 1637, when his son was retoured heir to him. He married Anne Stewart, not designed, but who may have been a near relative of Josias Stewart of Bonytoun, from whom he acquired Blairquhan. By her he had issue:—

   (1) *James*, who was enrolled as a student in Glasgow University on 3 March 1629.[7] He was retoured heir to his father in the lands of Blairquhan on 12 October 1637.[8] He had a son:—

      i. *William*, mentioned in a bond by him on 24 June 1662,

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[1] *Acts and Decreets*, lxxvi. ff. 27, 36. Elizabeth M'Gill has been described as Logan's widow, but he survived till 1606, and it seems more probable there was a divorce betwixt them. The Commissary Decreets are defective between 1576 and 1580, but comparison may be made with *Reg. Mag. Sig.*, 13 May 1580, where Thomas Kennedy, tutor of Cassillis, is named as spouse of Elizabeth M'Gill on 15 July 1579, a few weeks after the elopement, in a writ to which her former husband Robert Logan, referred to as such, and his mother are also parties. [2] *Reg. Mag. Sig.*, 20 June 1616 and 9 October 1616. [3] *Ibid.*, 26 August 1597. [4] *Gen. Retours*, No. 99. [5] *See Reg. Mag. Sig.*, July and September 1623; 13 July 1621; cf. *Laing Charters*, Nos. 1793, 1794, 1874. [6] *P. C. Reg.*, second series, vol. iv. [7] *Mun. Alme Univ. Glasguensis*, iii. 81. [8] *Laing Charters*, No. 2220; cf. 2223, 2226.

to his cousin John Kennedy of Culzean.[1] The lands of Blairquhan were disposed of to John Whitefoord before 1667.[2]

3. Alexander of Craigoch, of whom hereafter.
4. *David*, who acquired Garrihorn, and in December 1621 received from his brother James a grant of Drummorane, Whitefaulds, and others in the parish of Maybole.[3] He and his brother Alexander are named together in a complaint against Fergusson of Kilkerran on 5 January 1629.[4]
5. *Margaret*. She and her sister were with their father on 3 January 1597-98, when they were attacked by John Mure of Auchindrane and others.[5] She was married to Patrick Agnew of Lochnaw, first Baronet.[6]
6. *Helen*, married, first, to James Mure, younger of Auchindrane, and had issue. With his father he was executed in 1611, for the murder of Sir Thomas Kennedy. She then became the wife of John Fergusson of Kilkerran,[7] and by him also had issue.
7. *Susanna*, married to Sir Patrick M'Kie of Larg.[8]

Sir Alexander Kennedy, the third, but second surviving, son, became the ultimate heir of his father Sir Thomas. On 3 July 1621 he got a royal charter of the lands and barony of Bargany and others on the resignation of Thomas Kennedy,[9] and he himself resigned these lands three years afterwards in favour of Sir John Hamilton of Lettrick.[10] He acquired the estate of Culzean from his brother James in 1622, and he also obtained the barony of Greenan and numerous other lands from John Stewart, Earl of Carrick, in 1643.[11] He invaded the lands of James, Earl of Queensberry, in 1650,[12] and is said to have died in September 1652. He married Agnes, daughter of Thomas Kennedy of Ardmillan, and had issue:—

1. John, who succeeded to Culzean, of whom hereafter.

[1] Culzean Charters, No. 1441. [2] *Laing Charters*, No. 575 *n*. [3] *Ibid.*, No. 1895. [4] *P. C. Reg.*, second series, iii. 5, 6, 9, 10. [5] *Ibid.*, v. 442, 443. [6] *Hereditary Sheriffs of Galloway*, 241; *Reg. Mag. Sig.*, 7 June 1625. [7] *Laing Charters*, No. 1876. [8] *Hereditary Sheriffs*, 241. [9] *Reg. Mag. Sig.* [10] *Ibid.*, 15 June 1654. [11] *Ibid.*, 31 July 1643. See also Cul. Mun. and Additional Inventory No. 325, which is an instrument of assignation of Baltersan dated 7 November 1642. [12] *Acta Parl. Scot.*, vii. 95.

2. ALEXANDER of Craigoch and Kilhenzie, of whom hereafter.
3. *Thomas*, who, with his brother John, was enrolled in March 1633 as a student of Glasgow University.[1] In 1661 and 1668 he and his brothers are named as Parliamentary Commissioners for Ayrshire, and also of militia for Ayr and Renfrew. He had the estate of Baltersan, and in 1685 is described as Major Thomas Kennedy of Baltersan.[2] He had issue three daughters, of whom the second, *Jean*, was married to Hugh, son of Thomas Kennedy of Ardmillan.[3]
4. *James*, who married, first, Anne ——, and had issue a daughter Anna; secondly (contract 14 October 1657), Katherine,[4] eldest daughter of Sir John Mure of Auchindrane, and had issue:—

   (1) *John*, baptized at Edinburgh 1 September 1661.

5. *Marian*, married to James Kennedy of Girvanmains.
6. *Margaret*, married to Alexander Craufurd of Skeldon.[5]
7. *Agnes*, married to Captain James Hamilton of Clinton-Clare, son of Archibald Hamilton of Haller Craig.[6]

JOHN KENNEDY of Culzean was served heir to his father on 8 February 1656. He entered Glasgow University in March 1633.[7] He appears in Parliament as a Commissioner for Ayrshire in 1656 and 1659, also in 1661. He was also, on 8 October 1663, made a Justice of Peace for Ayrshire and Renfrew.[8] He died in 1665. He married, first (contract 22 February 1645[9]), Ann, daughter of John Blair of Blair, but without issue. He married, secondly (contract dated in 1653), Margaret, daughter of John Hamilton, first Lord Bargany, and by her, who was married, secondly, about 1667, to Sir David Ogilvy of Clova,[10] had issue:—

1. *John*, who is named in a testament by his father dated

[1] *Mun. Alme Univ. Glasguensis*, iii. 88. [2] *Acta Parl. Scot.*, vii. 92; viii. 225, 465. [3] Obligation by Hugh to Major Thomas, 19 January 1686, where his daughter Jean and Mary are named. *See* footnote *Family Hist.*, 49, and Cul. Mun. Writs, No. 1694. [4] Culzean Charters, No. 1388. [5] *Ibid.* [6] See discharge by her of all her claims on estate to the sum of 10,000 merks dated 31 October 1654 and 2 March 1655 at Tollechin, co. Down (Culzean Charters, No. 1365). [7] *Mun. Alme Univ. Glasguensis*, iii. 86. [8] *Acta Parl. Scot.*, at dates. [9] Additional Inventory, No. 343. [10] Cortachy MSS.

26 March 1658, but he died without issue, and apparently predeceased his father.

2. ARCHIBALD, of whom hereafter.
3. *Alexander*, who died without issue before 22 January 1676.
4. *Thomas*,[1] who was served heir to his brother Alexander 22 January 1676. It is this Thomas Kennedy who, as 'brother of the Laird of Culzean,' appears in the fourth class of Glasgow University on 8 February 1691.[2]
5. *Katherine*.[3] Buried August 1660.[4]
6. *Jean*, who is referred to in a disposition of the lands of Dunymuick made by John Kennedy of Culzean to his son Archibald, 7 May 1664.[5]

SIR ARCHIBALD KENNEDY, Baronet, the second but eldest surviving son, was served heir to his father 17 April 1672.[6] He was the same year in the fourth class of the University of Glasgow.[7] He was a Commissioner for Ayrshire for raising the money offered by Convention of £1,800,000 Scots in 1678, and also of Supply for Ayrshire in 1685 and 1704.[8] He obtained a very unenviable reputation for his wanton and cruel persecution of the Covenanters, and probably because of his zeal in this he was on 8 December 1682 created a Baronet of Nova Scotia with destination to himself, and the heirs-male of his body. He was included in a warrant issued on 14 May 1689 for citing some who have joined with the Viscount of Dundee.[9] He died in 1710, and, owing to his anti-covenanting prejudices, stories were circulated after his death about his being carried off by the devil. He married Elizabeth Leslie,[10] eldest daughter of David, first Lord Newark, and by her had issue:—

1. SIR JOHN, of whom hereafter.
2. *David*, an advocate at the Scots Bar 5 December 1704. On 16 February 1694 he was a member of the third

[1] These four sons are named in a paper entitled 'Information for Thomas Kennedy, youngest son of the deceased Laird of Culzean,' dated 5 July 1670. [2] *Mun. Alme Univ. Glasguensis*, iii. 138. [3] Culzean Charters, No. 1395. [4] Canongate Burial Reg. [5] *See* footnote *Family Hist.*, 50. [6] *Retours, Ayr*, No. 531. [7] *Mun. Alme Univ. Glasguensis*, ii. 125. [8] *Acta Parl. Scot.*, viii. 225, 465; xi. 143. [9] *Ibid.*, ix. App. 24. [10] See a discharge to her by Lieutenant William Graham of the Earl of Airlie's troop, dated Maybole, 22 April 1686 (Culzean Charters, No. 1697).

class in Glasgow University.[1] He died unmarried at Ayr in April 1754.

3. *Lewis*, collector of the Customs at Irvine.[2] He died in 1721, having married Magdalen Cochrane, daughter of the Hon. Alexander Cochrane of Bonshaw. By her he had issue a son *John*, lieutenant in the Navy, who died without issue.
4. *Jean*, married to Sir Gilbert Kennedy of Girvanmains in 1694.
5. *Susanna*, married (contract 12 and 20 December 1709) to Alexander, ninth Earl of Eglinton, with issue. She was the famous Susannah, Countess of Eglinton, whose seven daughters were celebrated for their good looks.[3] (*See title* Eglinton.)
6. *Mary*, referred to in two bonds of provision of 26 April 1710.[4]
7. *Catherine*, married Captain Lawrence Nugent, and died at Irvine 18 May 1761, aged sixty-six.

Sir John Kennedy of Culzean, Bart., was with his brother David a member of the third class of Glasgow University 16 February 1694.[5] He is named as a Commissioner of Supply for Ayrshire 5 August 1704.[6] He was served heir to his father 12 March 1711. Sir John died in 1742, having married Jean, daughter of Captain Andrew Douglas of Mains in Dumbartonshire (contract 15 March 1705), and by her, who died 1 November 1767, had twenty children, twelve sons and eight daughters, fourteen of whom died young and unmarried. Those surviving were:—

1. Sir John, of whom below.
2. Sir Thomas, afterwards ninth Earl of Cassillis.
3. David, afterwards tenth Earl.
4. *Elizabeth*, married, in 1729, as his second wife, to Sir John Cathcart of Carleton, second Baronet,[7] and had issue.
5. *Anne*, married (contract 16 March 1738) to John Blair of Dunskey, and had issue.[8] From her daughter Jane

[1] *Mun. Alme Univ. Glasguen.*, iii. 154, *infra.* [2] *Family Hist.*, 50 and 51. [3] Fraser's *Memorials of the Montgomeries*, etc. [4] *Family Hist.*, 51; *Scots Mag.* [5] *Mun. Alme Univ. Glasguensis*, iii. 155. [6] *Acta Parl. Scot.*, xi. 143. [7] *Family Hist.*, 51 and footnote. [8] *Ibid.*, 52 and footnote.

is descended the present Rev. Sir David Oswald Hunter Blair, Bart., of Blairquhan.

6. *Clementina*, married to George Watson of Bilton Park, co. York, and died there, without issue, 11 March 1760.

Sir John Kennedy of Culzean, Bart., who was served heir to his father 28 January 1743, and died 10 April 1744.[1] He was succeeded by his brother.

XI. Sir Thomas Kennedy of Culzean, Baronet, who was served heir to his brother Sir John 22 July 1747. He became the ninth Earl of Cassillis by the decision of the House of Lords in 1762 before referred to. He bought Newark from Alexander Crawford, as appears from a letter by his aunt Susanna, Countess of Eglinton, to Mr. Murray of Abercairney, dated January 1762,[2] which runs as follows: 'Sandy Crawford has sold Newark to Lord Cassillis. It is net 1500 marks, and has got 3800 pond sterling for it. It has neither wood nor coall, and only a little old shell of a house. It lays indeed contiguous to his lands of Greenan. Some says it is for Blair of Dunskie, and that he is to sell his lands in Galloway.'[3] The ninth Earl died unmarried at Culzean, 30 November 1775, and was succeeded by his brother.

XII. David, tenth Earl of Cassillis, who was admitted Advocate of the Scots Bar 25 February 1752, and was served heir to his brother, Earl Thomas, 15 April 1776, M.P. for Ayrshire 1768-74, Scottish Representative Peer 1776-92. He carried on the work of his brother and completed the building of the modern house of Culzean and the gardens. On 2 February 1790 he executed a supplementary entail of the estates of Cassillis and Culzean in favour of himself and the heirs-male of his body,[4] failing whom, Captain Archibald Kennedy late R.N., and late of New York, he and his sons being called *nominatim*. Earl David

[1] *Family Hist.*, 52. [2] Fraser's *Memorials of the Montgomeries*, i. 379.
[3] At Culzean there is a plenary indulgence by Pope Benedict xiv. to Thomas Kennedy, a Scots baronet, granting to him and all his kindred by blood or marriage, unto the third degree inclusive, as also to fifty persons to be named by him at his pleasure, a plenary indulgence at the point of death, provided they being then truly penitent, and otherwise as in usual form. *See also Hist. MSS. Com. Report*, iii. [4] *See Family Hist.*, 53.

died unmarried, at Culzean, 18 December 1792, when the baronetcy became extinct. He was succeeded in the earldom by his kinsman Captain Archibald Kennedy above named, who was descended from Alexander Kennedy of Craigoch, afterwards of Kilhenzie, second son of Sir Alexander Kennedy of Culzean.[1] (*See* p. 488.)

Alexander Kennedy was infeft in Craigoch, 16 May 1644. and afterwards acquired the barony of Kilhenzie.[2] He was appointed a Commissioner of Supply for Ayrshire in 1656, 1659, and 1661,[3] also a Justice of Peace for Ayrshire, 8 October 1663. He died about 1698, though Alexander Kennedy of Kilhenzie is named as a Commissioner for Ayrshire in 1704,[4] but this is apparently a clerical error. He was twice married. By his first marriage he had:—

1. A daughter, who married David Kennedy of Drumellan, and had issue.[5] (This marriage is mentioned in the service of Earl Archibald, but the lady's name is not mentioned.)

He married, secondly, contract 12 and 14 December 1683, registered in the Sheriff-Court Books of Ayrshire, 2 January 1702, Anna, youngest daughter of William Crawford of Auchenames. This lady's fortune was £3000 Scots, her jointure 300 merks.[6] By his second marriage he had issue:—

2. *John Kennedy* of Kilhenzie, was enrolled a member of the third class of the University of Glasgow 18 March 1700.[7] Apparently it was he who was appointed a Commissioner of Supply for Ayrshire 5 August 1704.[8] He was an Advocate of the Scots Bar, 6 July 1709. He married, 23 April 1715, Helen Monteith, daughter of Alexander Monteith, surgeon-apothecary, Edinburgh, and died December 1749. He had issue:—
   (1) *Alexander Kennedy* of Kilhenzie, who was served heir to his grandfather Alexander Kennedy on 4 May 1754. He was a captain in the army (Duram's Regiment), and died unmarried at Killochan, 3 May 1766.
   (2) *Helen*, served heir to her brother, 9 November 1773, married to John Shaw of Dalton, and had issue. She was ancestress of the present Mr. Shaw Kennedy of Kirkmichael.

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[1] *See supra* and Riddell's Note-Book, 147. [2] *Family Hist.*, 53. [3] *Acta Parl. Scot.*, at dates, and *supra*. [4] *Ibid.*, xi. 143. [5] *Family Hist.*, 53 and footnote. [6] *Ibid.*, 53 *n.* [7] *Mun. Alme Univ. Glasguen.*, iii. 170. [8] *Acta Parl. Scot.*, xi. 143, and *supra*.

3. ARCHIBALD, from whom descended Archibald, eleventh Earl of Cassillis.
4. *Alexander.*
5. *William.*
6. *Thomas.* All these children are mentioned in Alexander Kennedy's settlement, dated 8 July 1695, and recorded in the Sheriff-Court Books at Ayr, 7 June 1697.

ARCHIBALD KENNEDY, the second son of Alexander Kennedy of Kilhenzie, went to New York in 1710 according to Schuyler's *New York*, in 1722 according to the family history. He had very good letters of introduction, and was appointed Receiver-General and Collector of Customs of New York. He acquired a large estate called Pavonia near Hoboken in New Jersey. He died at New York 14 June 1763, aged seventy-eight.[1] He married, first, Miss Massam, by whom he had issue; and secondly, in December 1736, Maria Walter, widow of Arent Schuyler, by whom he had no children. His issue were:—

1. *James*, who was killed in the expedition against Carthagena.
2. *Robert*, who died unmarried.
3. ARCHIBALD, of whom hereafter.
4. *Thomas*, a barrister of New Jersey, who died in England unmarried.
5. *Catherine*, married to Dr. Joseph Mallet, physician in the Army.

XIII. CAPTAIN ARCHIBALD KENNEDY of the Navy, who became eleventh Earl of Cassillis, on the death of David, the tenth Earl.[2] He distinguished himself in many brilliant actions, particularly in one when upon the Lisbon station, while in command of two men-of-war escorting a convoy, he drove off two French vessels of superior size, and so damaged them that when they put in to Brest they were found unfit for further service. His ship was the *Flam-*

[1] *Scots Mag.*; *Family Hist.*, footnote 55; he left a will dated 1738, with two codicils dated 13 March 1745 and 10 December 1749, and recorded in the Probate Office, New York Lib., Wills, No. 25, pages 250-253, from which it appears that his two eldest sons were then dead without issue. [2] *See* p. 493, *supra*.

borough. For this action he was presented with a handsome piece of plate, which is now at Culzean, by the English merchants of Lisbon. He succeeded to his father's estate of Pavonia, and married, before June 1765, Katherine Schuyler, only daughter and heiress of Peter Schuyler, New Jersey, by his wife, Hester Walter, only daughter of John Walter, son of Robert Walter.[1] Katherine Schuyler had a large estate, and Lieutenant-Governor Colden said in 1765 that Archibald Kennedy, by right of his wife, possessed more houses in New York than any other man. She died before 21 January 1768, leaving no children, but she bequeathed her large property to her husband. A year or so after her death he married her cousin, Ann Watts, 27 April 1769. She was the daughter of John Watts of New York, by Miss de Lancy, a sister of Governor de Lancy.[2] She was descended in the female line from the oldest families in New York State, such as the Nicholsons and the Van Rensselaars, descendants of the old Patroon Van Rensselaar. The Watts were descended from the Watts of Rosehill, Edinburgh.[3] Captain Kennedy was stationed at Boston in command of H.M.S. *Coventry* when the famous stamps were received from England, and was requested by the Lieutenant-Governor to receive them on his vessel for safe custody, but he declined. For this and other acts supposed to show sympathy with the insurgents, he was removed from command, and after leaving his ship he retired to live on his estate at Pavonia. He did what he could to avoid raising fresh suspicion in the minds of the British authorities; the consequence was that when the Continental Army occupied New York he was thought far too loyal to the Home Government, and the Committee of Safety ordered him to retire to Sussex County. Schuyler says he obeyed cheerfully, and was permitted to return after a few months. Probably he was not quite so cheerful when he returned and found half his property confiscated. His house at Pavonia had also been burned by the mob and all his papers destroyed. His town house, No. 1 Broadway, at the Battery, had been appropriated

[1] Schuyler's *New York*. [2] *Ibid*. [3] They were descended from John Watt of Rosehill, the blacksmith who distinguished himself on the King's side in the tumult of 17 December 1596, and was shot in revenge on 17 April 1601 (Calderwood's *Hist.*, vi. 104).

by George Washington, and to this day the offices which about twenty years ago were built on its site are known as Washington Building. All this property, contrary to the terms of Peace entered into between Britain and the United States, was never restored to the family, and considering his support of the Independent Cause at Boston, was an instance of base ingratitude on the part of the American people. Knowing that he was going to succeed to the earldom of Cassillis he does not seem to have troubled very much about the remaining half of his property. According to some he sold it to Robert Watts, a loyalist, who had also been confiscated, and who was a cousin of his wife's, but according to others he handed it over to trustees for his children, of whom Robert Watts was one, and in 1803 Watts was appointed agent to sell it.[1] He went to England before 2 February 1790,[2] as he was described in the supplementary entail executed that day, of the Cassillis and Culzean estates by David, tenth Earl of Cassillis, as Captain Archibald Kennedy of the Navy, late of New York, then residing in London. He succeeded as eleventh Earl on the death of David, 18 December 1792, and was served heir to him on 12 March 1793. He, however, only enjoyed his title for two years, as he died on 30 December 1794. Ann Watts, his second wife, predeceased him, dying 29 December 1793. She was buried, on 1 January 1794, at the east end of the Chapel of Holyrood House.[3] By her he had issue:—

1. ARCHIBALD, twelfth Earl, created Marquess of Ailsa.
2. *John*, born 1771; formerly captain of an Independent Company of Foot. He married, in 1800, Charlotte, only daughter of Laurence Gill,[4] which lady died 27 May 1846; he died 7th August 1859, aged eighty-eight.
3. *Robert*, born in 1773; married Jane, sister of General Alexander Macomb,[5] Commander-in-chief of the Armies of the United States of America, and dying 5 November 1843, left issue by her (who died 20 May 1867):—

   (1) *John*, Secretary of Legation to the British Embassy at Naples, and afterwards to the United States, married, 5

[1] *See* Schuyler's *New York*. [2] *Family Hist.*, 53. [3] Holyrood Burial, 48. [4] *Family Hist.*, 55. [5] *Ibid.*, 56.

August 1834, Amelia Mary, only daughter of Samuel Briggs, Esq., and had issue. He died 14 March 1845, leaving:—

i. *Sir John Gordon*, K.C.M.G., late H.B.M. Minister to the Republic of Chile, now H.B.M. Envoy Extraordinary and Minister Plenipotentiary to H.M. the King of Roumania, born 18 July 1836, married, 30 October 1877, Evelyn Adela, daughter of the Hon. Edmund Bootle-Wilbraham, and had issue.

ii. *Sir William Robert*, K.C.B., admiral Royal Navy, and Admiral Commander-in-chief at the Nore 1900-1. Born 4 March 1838, married, 12 June 1868, Edith Louisa, daughter of Captain Edward Stopford, R.N., and has a daughter Alice Emily, born 7 June 1870.

iii. *Edward Briggs*, born 28 February 1842, married, 22 April 1875, Caroline Edith, only child of Colville Coverly Jackson, Esq., B.C.S., and has issue.

iv. *Gilbert George*, M.A., Recorder of Grantham 1883-89, now Metropolitan Police Magistrate, Barrister-at-Law, born 9 May 1844, married, 6 August 1874, Alice, daughter of Edward Lyon, Esq. of Johnson Hall, Staffordshire, and has issue.

(2) *Anne*, married, 24 October 1821, to Sir Edward Cromwell Disbrowe, G.C.H., Ambassador to the Netherlands, and died 18 October 1855, having had issue by him, who had predeceased her 29 October 1851.

(3) *Jane*, died 12 February 1862.

(4) *Sophia Eliza*, married, 19 February 1829, to John Levett of Wichnor Park, Staffordshire, and died 22 November 1863, leaving issue.

(5) *Margaret*, who died unmarried.

(6) *Frances*, married, 29 April 1845, to the Baron de Weiller of Heidelberg, who died 1878.

(7) *Isabella Matilda*, twin with Frances, married, 10 October 1844, to Hugh Montgomery Campbell, Esq., captain in the Scots Greys, of Bennington Park, Hertfordshire, and died 2 June 1882, leaving by him (who died 31 August 1892)

Arthur William Montgomery Campbell of Bennington Park, Barrister-at-Law.

4. *Anne*, married, 21 June 1795, to William Henry Digby, Esq. of Twickenham. She died 31 December 1820.

XIV. Archibald, twelfth Earl of Cassillis, and afterwards first Marquess of Ailsa, K.T. and F.R.S., was born February 1770.[1] He was served heir to his father in April 1795. In 1790 he raised an Independent Company of Foot, and was lieut.-colonel of the West Lowland Fencibles.[2] He must therefore have come over from America the same time as his father. He was a Representative Peer of

[1] *Family Hist.*, 56. [2] Now the Ayrshire Yeomanry.

Scotland 1796-1806. On 12 November 1806 he was created BARON AILSA OF AILSA, and on 10 September 1831 he was raised to the further dignity of MARQUESS OF AILSA of the Isle of Ailsa, co. Ayr, both in the Peerage of the United Kingdom. He was a Knight of the Order of the Thistle, 17 July 1821. He was a great friend of King William IV., whose natural daughter his second son John married. He died 8 September 1846, at St Margaret's, near Isleworth, and was buried at Dun. He married, on 1 June 1793, Margaret, second daughter and eventually heiress of John Erskine of Dun in Forfarshire, by whom (who died 5 January 1848) he had issue:—

1. ARCHIBALD, Earl of Cassillis, born 4 June 1794, died 12 August 1832, before his father, having married, at Dun, 1 May 1814, Eleanor, daughter and heiress of Alexander Allardyce of Dunottar. He was a great sportsman, a famous shot, a good rider, and a great walker. He was also, unfortunately, a great gambler, and dissipated his own and his wife's fortune. By his wife, who died 16 November 1832, at Cassillis House, he had issue:—

    (1) ARCHIBALD, second Marquess of Ailsa, of whom below.
    (2) *Hannah Eleanor*, born April 1815, married, 5 July 1836, to Sir John Andrew Cathcart of Carleton, Bart., and had issue. She died 8 May 1877.
    (3) *Alexander*, died unmarried. He was born April 1818, and died in October 1832.
    (4) *John*, born in September 1819, died unmarried 3 September 1846.
    (5) *David*, J.P. and D.L., Ayrshire. Born 17 November 1820, an officer in the East India Company's service, married, 24 February 1873, Mary Hope Vere, widow of W. E. Hope Vere, of Craigiehall, and sister of the ninth Earl of Cork, and has a daughter Evelyn Mary, born 11 May 1874, who married, 17 December 1895, Charles-Helbert Helbert (who died 27 January 1903), and has issue.[1]
    (6) *Gilbert*, born 14 July 1822, was in the Royal Navy, married, 26 November 1851, Margaret, daughter of Sir David Baird, Bart. (who died 24 March 1903). He died 25 November 1901, and left issue:—
        i. *John Gilbert*, born 1 May 1854, served in the German Army. He served also in the South African War, 1900-1902. He married, 11 April 1882, Henriette Maria

[1] To Lord David and his younger brothers and sisters a patent of precedence to rank as Marquess's children was granted in 1846, on the death of their grandfather, the first Marquess of Ailsa.

Louise, daughter of Professor Oswald Achenbach of Düsseldorf, and has issue.

ii. *Thomas Francis Archibald*, late lieut.-colonel commanding 1st Battalion Queen's Own Cameron Highlanders. Born 12 November 1856, married, 3 May 1897, Ethel Mary, widow of Sidney Watson, and daughter of the late Robert Fowler. Lieut.-Colonel Watson-Kennedy served with 1st Battalion Black Watch in Egyptian War of 1882, and since then has had a distinguished military career.

iii. *Mary Alice*, born 28 April 1855, married, 6 May 1876, to Alfred John Howard, Esq., fourth son of Frederick John Howard, M.P. for Youghal, and Lady Fanny Howard (*née* Cavendish, sister of the seventh Duke of Devonshire), and has issue.

(7) *William*, captain Royal Artillery, born 30 November 1823, married, 17 September 1846, Cecilia Sarah Jane de Blois, eldest daughter of William N. de Blois of Halifax, and died 5 March 1868, having by her (who died 5 February 1875) had issue:—

i. *Mary Oswald*, born 28 June 1847, deceased.

ii. *William*, born 13 January 1851, late an officer 30th Regiment, married, 1874, Susan, eldest daughter of Edward Funnell, Esq., and died 7 July 1883; his widow married, secondly, 17 November 1886, George Arthur Trevor, captain Royal Sussex Regiment.

iii. *Mabel Esmé*, born 20 October 1862, died 5 December 1864.

(8) *Fergus*, born 18 February 1826, an officer in the East India Company's service, died 5 October 1852.

(9) *Nigel*, born May 1828, married, 1st June 1858, Catherine Anne, youngest daughter of Major James Frere May, and had issue by her (who died 1 February 1862):—

i. *Fergus de Carrick Frere*, born 30 March 1859, died 30 May 1881.

ii. *James Archibald Frere*, born 23 March 1860, died 27 Jan. 1879.

iii. *Emma Andalusia*, born 20 October 1861, married, 25 Oct. 1881, to George, fifth Earl of Portarlington, and by him, who died 31 August 1900, had issue.

She married, secondly, 25 September 1901, the Hon. Henry Berkely Portman, and has issue.

Nigel married, secondly, 5 November 1866, Elizabeth Charlotte, widow of the Rev. Richard Prankerd Jones of Charfield, Gloucestershire (and sister of Sir John Neeld, Bart.), who died 14 May 1884. He died 18 March 1878.

(10) *Adolphus Archibald*, born 12 July 1832, died 20 June 1842.

2. *John*, born 4 June 1802, who took the name of Erskine as heir to the estate of Dun. He died 6 March 1831, having married, 5 July 1827, Augusta Fitzclarence, daughter of King William IV. by Mrs. Jordan, and sister of the first Earl of Munster. She survived

him, and afterwards married, 24 August 1836, Lord John Frederick Gordon Halyburton, who died 29 September 1878. She died 8 December 1865, leaving issue:—

(1) *William Henry Kennedy Erskine* of Dun, captain 17th Lancers, born 1 July 1828, married, 18 November 1862, Catherine, only surviving child of John Jones, Esquire of Henllys, Carmarthenshire, and died 5 September 1870, leaving issue:—

i. *Augustus John William Henry* of Dun, late captain Fifth Brigade, Scottish Division R.A., born 1866, married, 3 November 1897, Alice Marjorie Cunninghame, daughter of Rev. A. L. R. Foote, D.D., of Rosehill, Forfarshire, and has issue.

ii. *Violet Augusta Mary Frederica*, born 1863, married, 27 October 1894, to Arthur Otway Jacob, Esquire, lieutenant 20th Hussars, and has issue.

iii. *Millicent Augusta Vivian*, born 1867, died 2 November 1883.

(2) *Wilhelmina Kennedy Erskine*, born 26 June 1830, married, 17 April 1855, to the second Earl of Munster, her first cousin, who died 30 April 1901, leaving issue.

(3) *Augusta Milicent Anne Mary Kennedy Erskine*, born 11 May 1831, married, 17 April 1855 (the same day as her sister), to the late James Hay Wemyss of Wemyss, and died 11 February 1895, leaving issue by her husband, who died 29 March 1864. (*See title* Wemyss.)

3. *Anne*, born 26 June 1797, married, 10 August 1821, to Sir David Baird of Newbyth, second baronet, and has had issue.

4. *Mary*, born 4 May 1799, married, 10 December 1833, to Richard Oswald, younger of Auchincruive, who died 9 January 1834. She died in 1886.

5. *Margaret*, born 16 June 1800, married, 14 November 1817, to Thomas Eyre of Hassop, who assumed the title of Earl of Newburgh. He was born 21 October 1790, and died, without issue, on 22 March 1833. Lady Newburgh died 3 September 1889.

6. *Alice Jane*, born 2 July 1805, married, 19 March 1824, Lieutenant-General Peel (son of Sir Robert Peel, first baronet) formerly Secretary of State for War, who died 13 February 1879, and had issue.

XV. ARCHIBALD, thirteenth Earl of Cassillis and second Marquess of Ailsa, born 25 August 1816. He was Lord-Lieutenant of Ayrshire. He served in the Rifle Brigade and 17th Lancers. K.T. 7 March 1859. He died 20 March

1870, the result of an accident in the hunting-field. He married, on 10 November 1846, Julia, second daughter of Sir Richard Mounteney Jephson, Bart., by his second wife, Charlotte Rochfort, daughter of Lieutenant-General Sir John Smith, K.C.B. She died 11, and was buried 17, January 1899, and had issue:—

1. ARCHIBALD, present Peer.
2. *Julia Alice*, born 22 November 1849, married, 15 December 1869, to Colonel Robert William B. Follett, late Coldstream Guards, youngest son of Sir William Follett.
3. *Evelyn Anne*, born 24 August 1851, married, 5 November 1885, to Arthur Young, son of the late Colonel Keith Young, C.B., and had issue.
4. *Alexander*, late captain Black Watch, late major and lieutenant-colonel 3rd battalion Black Watch, born 6 October 1853. He had a distinguished military career. Married, 1 April 1881, Beatrice, eldest daughter of George T. Gordon of Cuckney, J.P., D.L. of Cuckney, Nottinghamshire, and has issue:—
   (1) *Irene Clare*, born 1 March 1882.
   (2) *Hermione Julia*, born 11 April 1883.
5. *Constance Eleanor*, born 4 October 1855, married, 28 April 1891, to Colonel Lionel Grimston Fawkes, R.A., and has issue two daughters:—
   (1) *Monica*, born 1892.
   (2) *Lois*, born 1896.
6. *John*, lieutenant 4th Royal Scots Fusiliers (Militia) born 4 April 1859, married, 12 February 1890, Mary Adelaide, eldest daughter of Colonel Alexander Learmonth, M.P., of Dean, Midlothian, formerly 17th Lancers. Lord John died May 1895, without issue.

XVI. ARCHIBALD, third Marquess of Ailsa, and fourteenth Earl of Cassillis, late lieutenant Coldstream Guards, and captain in the army, D.L. for Ayrshire, hon. commander Royal Naval Reserve, also lately lieutenant commanding Clyde Royal Naval Artillery Volunteers, born 1 September 1847, married, first, on 7 March 1871, Evelyn, third daughter of Charles, twelfth and last Lord Blantyre, and by her (who died 26 July 1888) has issue:—

1. ARCHIBALD, Earl of Cassillis, born 22 May 1872, captain 3rd battalion Royal Scots Fusiliers, served in South

Africa 1900-2, and has two medals and five clasps, advocate, Edinburgh, D.L. for Ayrshire. He married, on 30 April 1903, Frances Emily, third daughter of Sir Mark Stewart, Bart., of Southwick, Kirkcudbright, and Ardwell, Wigtownshire, M.P. for Stewartry of Kirkcudbright, and Marian his wife, only child of John Orde Ommaney (son of Sir Francis Ommaney, Gentleman Usher to H.M. George IV.), and Susanna, daughter and heiress of Sir John MacTaggart of Ardwell, Bart. Sir Mark Stewart is descended from a younger branch of the Stewarts of Physgill, cadets of the Stewarts of Garlies.

2. *Charles*, born 10 April 1875. Served in South Africa 1900 and 1901, and has medal with clasps.
3. *Evelyn*, born 5 April 1876, and died 9 January 1886.
4. *Aline*, born 31 July 1877, married, 17 December 1901, to the Hon. John Edward Dean Browne, only son of Francis William, fourth Baron Kilmaine, of The Neale and Gaulston Park, Ireland, and has issue:—

   John Francis Archibald, born 22 September 1902.

5. *Angus*, born 28 October 1882.

Lord Ailsa married, secondly, on 3 November 1891, Isabella, daughter of the late Hugh MacMaster, Esq., of Kausani, North-West Provinces, India, and has by her:—

6. *Hugh*, born 19 January 1895.
7. *Marjory*, born 4 September 1898.

Creations.—20 March 1457-58, Lord Kennedy; October 1509, Earl of Cassillis, in the Peerage of Scotland. 12 November 1806, Baron Ailsa of Ailsa; 10 September 1831, Marquess of Ailsa, in the Peerage of the United Kingdom.

Arms.—Argent, a chevron gules between three cross crosslets fitchée sable, within a double tressure flory counterflory of the second.

Crest.—A dolphin naiant proper.

Supporters.—Two swans proper, beaked and membered gules.

Motto.—*Avise la fin.*

[C.]

Cathcart

CATHCART, EARL CATHCART

‘THE Cathcarts in a direct male descent of more than six hundred years have given to their sovereigns good servants in court and camp.’ Thus the Historical Manuscripts Commissioners comment upon the Cathcart family papers, and they add: ‘Three of their house fell at Flodden. In the eighteenth century the chiefs and cadets of this house filled many offices of trust and command, and the many hundreds of letters and papers in the possession of the present Earl of Cathcart well illustrate their services.’[1]

The surname is local. According to Chalmers, King David I. granted to Walter, son of Alan, ‘dapifer Regis,’ the territory of Renfrew, including among many others the lands of Katkert:[2] Walter's followers formed a sort of military settlement. The British Caethcart signifies the strong place on the river Cart.

The first of the family found in Scottish record is:—

RAINALDUS DE KETKERT, who is witness to a charter by ‘Alanus filius Walteri dapifer Regis Scotie’ of the patronage of the church of Kethcart to the monastery of Paisley about 1177-99.[3] He is no doubt the same person

[1] *Second Rep. Hist. MSS. Com.*, 24. [2] *Caledonia*, iii. 778; *Scottish Land Names* (Sir H. Maxwell), 16. [3] *Registrum Monasterii de Passelet*, f. vi.; Bannatyne Club ed., 11; Sir J. Dalrymple's *Coll.*, lxvii.

who as 'Ranulfus de Ketkert' appends his name as a witness to a similar charter in favour of the Church and monks of Paisley about 1202-3,[1] while again as 'Reginaldus de Catthekert' he is a witness to another charter by 'Alanus filius Walteri' to Robert Croc of the lands of 'Kellebrid' (Kilbride) about 1200.[2] The next of the name who appears is

WILELMUS DE CATHKERT, who, with Alan his son, is a witness to a charter whereby 'Dungallus filius Christini,' judge or dempster of Lennox, exchanged the lands of 'Cnoc' (Knock) for lands near 'Walkeinschaw' with the Abbot of Paisley about 1234.[3]

ALAN DE CATHKERT, probably Alan the son of William, already named, appends his seal to a resignation made by the Judge of Lennox to the abbot and convent of Paisley of the lands of 'Cultbuthe' (Culbowie) about 1234,[4] and is a witness to a charter, dated the Thursday before the feast of St. Barnabas 1240, of the Great Steward of Scotland to Sir Adam Fullarton, of the lands of Fullerton in Kyle.[5] It is probably the same 'Alan de Cathkert' who was 'Constabularius de Are'[6] in the reign of Alexander II. 1214-49, and who styles himself 'Dominus' Alan of Kathkart when appearing as witness to a charter in the chartulary of Glasgow 1214-27.[7] His wife is not known, but he is said to have had issue:—

1. WILLIAM.[8]
2. *Cecilia*, who married John de Perthic.

WILLIAM DE KATHKERT is witness to a charter by his sister Cecilia as wife of John de Perthic in favour of the monastery of Paisley of all her lands in the village of 'Ruthglen' about 1262.[9]

SIR WILLIAM DE KATHKERKE was one of the Scottish barons who swore fealty to King Edward I. at Berwick-on-Tweed 28 August 1296.[10] Like many of the Scottish barons

[1] *Reg. de Passelet*, f. vii. [2] Fraser's *The Lennox*, ii. 2. [3] *Reg. de Passelet*, f. cviii. [4] *Ibid.*, f. cvi. [5] Douglas. [6] *Liber de Melros*, i. 201. [7] *Registrum Episcopatus Glasguensis*, 103. [8] Douglas. [9] *Reg. de Passelet*, f. ccxxxvi. 377. [10] *Cal. of Docs.*, ii. 205. It is probably his seal which has been preserved in the Westminster Chapter House collection attached to a fragment of a homage, and bearing crescent and star with 'S'WILL'I DE CHATKERT.' *Ibid.*, App. iii. No. 598.

Sir William appears to have pursued a somewhat vacillating policy with regard to the claims of Edward I. of England to the Kingdom of Scotland, for, three years later, he and his esquire are among certain prisoners in England,[1] whom the King (Edward I.) 'at the prayer of the wife of William Fitzwarin' empowers the Bishop of Durham and others by patent dated 7 April 1299 to exchange for William de Ros and Walter de Thornton English prisoners in Scotland, 'or make better terms if they can, but as quickly as possible.' The exchange, however, did not take place, for on 10 July of the same year King Edward commanded certain Scottish prisoners in England to be brought to York by the feast of St. Peter, amongst whom are Sir William de Cathcart and his valet.[2] He is possibly the same Sir William de Cathcart who appears again on the English side in December 1309, and, as one of the 'Knights of Roxburghe garrison,' is supplied with one cask of wine, etc., at the charges of Edward II.[3] In all probability he was the father of

Sir Alane of Cathcart, who became a prominent adherent of the national party under King Robert Bruce. He accompanied Edward Bruce in his raid into Galloway in the summer of 1308, and was one of the fifty horsemen who, according to Barbour, attacked and dispersed fifteen hundred English cavalry under John de St. John. Sir Alan appears to have himself related the particulars of this encounter to Barbour, who describes him thus:—

'A Knycht that then was in his rout,
Vorthy and vicht, stalward and stout,
Curtass and fair and of guide fame
Schir Alane of Catcart be name
Tald me this taill as I sall tell.'[4]

He is designed 'Alanus de Cathkert dominus ejusdem' in a donation he made to the Dominican Friars of Glasgow of 20 shillings sterling yearly from his lands of Bogtoun of Cathcart to buy oil for supporting the lights in their church, 14 August 1336.[5] He married a sister of Sir Duncan

[1] *Cal. of Docs.*, No. 1062, and *Hist. Doc. Scot.*, ii. 369. [2] *Cal. of Docs.*, ii. No. 1077; *Hist. Doc. Scot.*, ii. 381. [3] *Cal. of Docs.*, iii. No. 121. [4] Hailes, *Annals*, ii. 33; Barbour, f. 70 b, c, Scot. Text. Soc. ed., i. 230. [5] *Liber Collegii Nostre Domine*, Maitland Club ed., 158. Archives, University of Glasgow, 61 D.

Wallace of Sundrum,[1] and by her had a son[2] and successor in the Cathcart estates.

Alanus de Cathkert, *miles, dominus ejusdem.* He succeeded to the baronies of Sundrum, Dalmellington, and Auchencruive, in the county of Ayr, upon the death, without issue, about 1376, of his maternal uncle Sir Duncan Wallace, who, on 22 October 1373 had a charter to himself and Eleonora Bruce, Countess of Carrick, his wife (*see* p. 437), of these baronies with remainder, in failure of heirs of his body, to 'Alano de Cathkert' and the heirs-male of his body.[3] By charter dated 1 August 1387 Elizabeth Wallace, Lady of Cragyne or Craigie, granted to her kinsman Alan de Cathkert, knight, lord of that Ilk, 10 silver merks yearly from the lands of Eagleshame.[4] He entered into an indenture with Roger de Crawfurd of Daleglis at Sundrum the Thursday after Christmas day 1384, by which part of the barony of Dalmellington was pledged to Roger for £46, 3s. 4d. sterling, paid by him to 'Alan in his great necessity.'[5] He had also a lease of the rents of the church of Maybole from Elena de Carric, Prioress of North Berwick, as appears from a receipt granted by her on 6 October 1386.[6] He was succeeded by his son

Alanus de Cathcart, *miles, dominus ejusdem*, who in 1406 confirmed the Dominican Friars of Glasgow in the annualrent from the lands of Bogtoun granted by his grandfather.[7] On 4 May 1401 he witnessed a charter by the Lord of Pollok in favour of the latter's son,[8] and on 2 November 1404 he appears to have been in attendance on King Robert III. at Dundonald Castle, where he witnessed a charter in favour of Sir Gilbert Kennedy of the lands of 'Caslis et Gilletre.'[9] He was succeeded by his son

Alanus de Cathcart, *dominus ejusdem*, who entered himself as a hostage for King James I. in England by permission of Henry VI., granted 20 June 1432, in place of Malcolm Fleming.[10] He remained in captivity until 11 February

[1] Crawfurd's *Peerage*, 77. [2] *Ibid.* [3] *Reg. Mag. Sig.*, folio vol. 102. [4] Family Charters, No. 1. [5] Confirmed 31 May 1427, *Reg. Mag. Sig.* [6] Original receipt in Gen. Reg. Ho., No. 185. [7] *Liber Collegii Nostre Domine*, 226. [8] *Memoirs of the Maxwells of Pollok*, i. 144. [9] *Reg. Mag. Sig.*, 2 Aug. 1450. [10] *Fœdera*, iv. pp. iv, 179.

1445-46, when he received permission to substitute his son in his place.[1] He appears to have died shortly after returning to Scotland, and to have been succeeded by his son[2]

I. SIR ALAN OF CATHCART, who in 1442 redeemed the lands of Carltoun and others in Carrick and other lands in the barony of Sundrum from John Kennedy of Coyff, which had been mortgaged by Sir Alan Cathcart his grandfather.[3] On 16 August 1450 he confirmed the Dominicans of Glasgow in the annualrent from the lands of Bogtoun granted by 'Alanus de Cathkert antecessor meus.'[4] In company with one hundred other persons under the Earl of Douglas, he received a safe-conduct from Henry VI. to pass through England on 23 April 1451.[5] In the *Exchequer Rolls* for July 1451 he is referred to as the owner of certain hides taken furth of the country, the customs being unpaid, in a ship which carried Earl Douglas, and is designed 'Dominus de Cathkert,'[6] and in the following year there is an entry under date 4 December 1452, to the effect that the rents of the lands of Turnebery and Dundonald have been paid to Alan, Lord Cathcart.[7] On 31 July 1452 King James II. granted a charter to him as Alan, laird or lord of Cathcart, erecting the lands of Cathcart, Talgart, and of Bogtoun in Renfrewshire into one free barony in all time coming to be called the barony of Cathcart.[8] It is probable, therefore, that he was created LORD CATHCART between July and December 1452. He certainly sat as one of the barons in the Parliament held in Edinburgh 18 July 1454.[9] In the 'Decreet of Ranking' of the Scottish nobility, 5 March 1606, Lord Cathcart is placed next Lord Ochiltree and before Lord Carlyle. In support of his claim the then Lord Cathcart, in apparent ignorance of the true date of the creation, produced (first) an Act of Parliament under the

[1] *Rotuli Scotiæ*, ii 327. [2] Crawfurd, 77. [3] Charter of Resignation dated 24 March 1446 and 24 January 1447. Family Charters, Nos. 5 and 9. [4] *Liber Coll. Nostre Domine*, 168. [5] *Cal. of Docs.*, iv. 250. [6] *Exch. Rolls*, v. 439. [7] *Ibid.*, v. 523. [8] Family Charters, No. 9/3. [9] *Supra Acta Parl. Scot.*, 23. There exists a seal attached to a Glasgow College Charter of date about 1450 which has 'three cross crosslets fitchée issuing from as many crescents, crest on a helmet, a lady's head and shoulders affrontee. Supporters, two savage women. Legend: S' ALANIS DNI CATHKERT.' Macdonald's *Armorial Seals*, 385.

subscription of the Clerk of Register dated 9 October 1460[1] bearing a decree betwixt Alan, Lord Cathcart, on the one part, and Alexander Erskine and Christian Crichton his spouse, on the other, and (second) an Act of Parliament bearing that Lord Cathcart sat as a Lord of Parliament 2 November 1479.[2] But, as has been stated, Lord Cathcart sat as such in Parliament on 18 July 1454, and he also sat in the Parliaments of 9 October 1460,[3] 11 October 1464,[4] and 30 November 1469,[5] and thereafter almost yearly until 1487.[6] It is certainly strange that one who had been a companion and adherent of the turbulent Earl of Douglas should within a year have been raised to the Peerage, but it should be noted that about this time several of the more moderate followers of the Earl, disapproving of his treasonable negotiations with England, went over to the King's party. Lord Cathcart rapidly rose in favour under King James II. and his successor James III., and held many important offices. He was appointed to remain with James III. at Berwick for negotiating a truce with England, 1464-65.[7] He was sworn-in Warden of the West Marches at Holyrood House 11 April 1481,[8] and in the same year he was on the Assize for the trial of Lord Lyle for treason.[9] He had charters of the lands and barony of Auchencruive and Clananys in Ayrshire 2 July 1465,[10] and received a grant of the lands of Trabeath in King's Kyle, then in the hands of the Crown by the forfeiture of Lord Boyd.[11] As a special mark of favour James III. granted to him the barony together with the Constabulary of the Royal Castle and of the Dominical lands of Dundonald in Ayrshire, 13 December 1482, 'pro ejus gratuitis servitiis progenitori regis et regi ipsi impensis,'[12] and in 1485 he was appointed Master of the King's Artillery.[13] His name is frequently appended as a witness to the royal charters of this period, and it may be inferred that he was in close attendance upon the King. Lord Cathcart lived to an advanced age. On 23 June 1494 he appeared as pursuer with the Archbishop of Glasgow

1 This date (1460) appears to be erroneous, as the Lords Auditors made a decree betwixt these parties relating to the same action on 9 October 1466 (*Acta Dom. Aud.*, 3). 2 Riddell Papers, No. 30. 3 *Ibid.* 4 *Reg. Mag. Sig.* 5 Riddell Papers. 6 *Acta Parl. Scot.*, ii. *passim*. 7 *Ibid.*, *supra* 30a. 8 *Ibid.*, ii. 132b. 9 *Ibid.*, ii. 137b. 10 *Reg. Mag. Sig.* 11 Family Charters. 12 *Ibid.* 13 Spottiswood's *Practicks*, 361.

and his grandson and heir-apparent, Sir John Cathcart, in an action against Alan Cathcart of Clolynan, another grandson, and Matthew Wallace of Craigie.[1] He died in 1497 before 3 October,[2] and was interred in the convent of the Black-friars at Ayr.[3] He married Janet Maxwell,[4] and had issue:—

1. *Alan*,[5] who predeceased his father, leaving a son:—
   (1) JOHN, second Lord Cathcart.
2. *David* of Clolynan and Pennyfodzach.[6] He married Margaret, daughter of Sir Alexander Boyd of Duncoll,[7] and, dying before his father, left a son:—
   (1) *Alan* of Clolynan.[8]
3. *Hugh*,[9] first of the Cathcarts of Trogwein or Trevor.
4. *John*, of Galryne.[10]
5. *Helenor*, married to David, son of John Stewart of Craigiehall[11] (contract dated 19 March 1473[12]). In respect of this marriage, John Stewart paid Lord Cathcart 85½ merks.[13] And probably
6. *Christian*, married to Alexander Hamilton of Brent-wood.[14]
7. *Margaret*, married to Sir William Sempill of Castle Sempill, Sheriff of Renfrew.[15]

II. JOHN, second Lord Cathcart, grandson of the preceding, had a charter from his grandfather of the lands of Trabo, dated 30 April 1487.[16] Amongst the family papers is an instrument of sasine,[17] following on a royal precept in his favour of the lands of Cathcart, dated 4 July 1497, and a warrant[18] from James IV. to the Sheriff of Ayrshire to serve John heir to his grandfather in his estates in that county, dated 2 September 1499. He had a charter to himself and Margaret Douglas his wife of the lands of Auchencruive in Ayrshire, 12 August 1499,[19] and a grant from the King as Steward of Scotland, of the lands of Clolynane, Hillhouse,

[1] *Acta Dom. Conc.*, 336. [2] *Memorials of the Montgomeries*, ii. 51. [3] Crawfurd. [4] Family Charters, No. 36. [5] Crawfurd. [6] Family Charters, No. 42. [7] *Ibid.*; *Acta Dom. Aud.*, 115, 127. [8] Family Charters, No. 64. [9] *Ibid.*, No. 42. [10] *Ibid.* [11] *Acta Dom. Conc.*, 115; *Acta Dom. Aud.*, 140. [12] Family Charters, No. 13. [13] *Ibid.*, No. 25. [14] *Acta Dom. Aud.*, 150. [15] *Reg. Epis. Glasguen.*, ii. 506-516. [16] Family Charters, No. 53. [17] *Ibid.*, No. 68. [18] *Ibid.*, No. 75. [19] *Reg. Mag. Sig.*

and Holmys, 6 March 1504-5,[1] and another of the lands and barony of Sundrum, dated 21 March 1511-12,[2] all of which had been forfeited by Alan, Lord Cathcart, his grandfather, who had alienated the greater part of them without having obtained the King's consent. He does not appear to have taken an active part in public affairs, and is only recorded as being present in Parliament on one occasion,[3] in 1528. He died in December 1535, and was succeeded by his grandson.[4] He married, first, Margaret, daughter of John Kennedy of Blairquhan,[5] and, secondly, Margaret, daughter of Sir William Douglas of Drumlanrig,[6] and had issue:—

1. Alan, Master of Cathcart.[7] He had a charter to Alan Cathcart, 'son and heir-apparent of John, Lord Cathcart, and to Agnes Lile, wife of the said Alan,' of the lands of Cathcart and Bogtoun in Renfrewshire, 9 August 1507.[8] She was Agnes, daughter of Robert, Lord Lyle,[9] and had a grant of the lands of Newark from her father, 3 September 1492 (confirmed 16 May 1494[10]); she was married, secondly, to John Maxwell of Stainly.[11] Alan was killed at Flodden[12] with two of his brothers, leaving issue a son—

   Alan, third Lord, of whom hereafter.

2. *Robert*, by the second marriage.[13] He had a charter from his father of the lands of Killunquhane (Killochan) in Ayrshire, confirmed 4 March 1505-6.[14] He married Margaret, daughter and co-heiress of Alan Cathcart of Carleton,[15] who with her sister Sibyll had sasine of Carleton 1509.[16] By her (who was married, secondly, to Hugh Campbell[17]) he had issue. He was killed at Flodden,[18] and

[1] *Reg. Mag. Sig.* [2] *Ibid.* [3] *Acta Parl. Scot.*, ii. 322. [4] Crawfurd, 78. [5] *Ibid.* [6] Family Charters, 263; *Reg. Mag. Sig.*, 4 March 1505-6. [7] *Ibid.* [8] Family Charters, Bundle II. No. 13; *Reg. Mag. Sig.*; and cf. *Ibid.*, May 1510. [9] Crawfurd. [10] *Reg. Mag. Sig.* [11] Douglas. [12] Instrument in Family Writs. [13] *Reg. Mag. Sig.*, 4 March 1505-6. [14] *Ibid.* [15] *Acta Dom. Conc.*, MS. xxii. f. 134. [16] *Exch. Rolls*, xiii. 660. [17] *Reg. Mag. Sig.*, 8 September 1525. [18] On 2 March 1516 Elena Chalmer, relict of William Wallace of Craigo and Carnhill, and James Wallace, son and heir of the deceased William Wallace, and John, Lord Cathkert, appeared before the Sheriff of Ayrshire, and craved instruments to the effect that the said William Wallace of Craigo, and his son, John Wallace, went to the battle of Flodoun and were slain, in which field, also, three sons of the said Lord Cathkert died and were slain.—Notarial Instrument among Family Charters.

was succeeded in the lands of Killochan by his son:—

(1) *Robert*, who was served heir to his father, 20 December 1524, and had a charter of half the lands and barony of Carleton from his mother, 4 June 1538, with consent of her second husband, Hugh Campbell (confirmed 28 July 1538).[1] From him are descended the Cathcarts of Carleton and Killochan,[2] the present representative being Sir Reginald Archibald Edward Cathcart, Baronet of Carleton, Killochan Castle, Ayrshire. The first Baronet was Sir Hew Cathcart, who was created a Baronet of Nova Scotia 20 June 1703. From him are also descended the Cathcarts of Genoch, Wigtownshire.[3]

3. *John* of Glendowis,[4] who was infeft in half of the lands of Clolynane, Hillhouse, and Holmes of Dundonald.[5] He married Sibyll, second daughter and co-heiress of Alan Cathcart of Carleton, as appears from an action, 'King *v.* Margaret and Sibbil Cathcart,' for marrying without leave, when it was alleged for the defence that Lord Cathcart had the King's leave.[6] He was killed at Flodden with his two brothers.[7] He was survived by his wife, Sybyl Cathcart, who died *circa* 1527.[8] By her he had two daughters:—

(1) *Jonet*, who succeeded him in half the above lands of Glendowis, Clolynane, Hillhouse, and Holmes, and received sasine.[9] She was married to Robert Crawfurd, brother of Bartholomew Crawfurd of Kerse (contract dated March 1529),[10] by whom she had a son:—

i. *William*, who had a charter of the above lands of Clolynane, Hillhouse, and Holmes, subject to the liferent of his father and mother, dated 12 May 1539.[11]

(2) *Marion*, married to Gilbert Graham of Knockdolian.[12]

4. *David* of Duchray[13] and Clavannis.[14] He married Agnes, daughter of Sir George Crawfurd[15] of Leiffnoris,[16] by whom he had a son:—

(1) *Alan*, who married Janet,[17] daughter and co-heiress of

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[1] *Reg. Mag. Sig.* [2] Crawfurd, 78. [3] Douglas. [4] G. Ros, Protocol Book, MS., f. 66. [5] *Ibid.*, 68*b*. [6] *Acta Dom. Conc.*, MS. xxii. November 1510, 133, 134. In the Eglinton Charter-chest there are two seals appended to a precept for infefting Hugh, Earl of Eglinton, in the lands of Drumlonford in Ayrshire, 24 February 1511-12. The first, a fess between three cross crosslets fitchée: in honour point a human heart: 'S' JOHANNIS CATHKERT.' The second, a stag's head contourné between three cross crosslets fitchée: 'S' SIBEL CATHKERT.' Macdonald's *Armorial Seals*, Nos. 387, 388. [7] Instrument in Family Writs. [8] *Exch. Rolls*, xvii. 740. [9] G. Ros, Protocol Book, f. 66, 68*b*. [10] *Ibid.*, 89*b*. [11] *Reg. Mag. Sig.* [12] *Acta Dom. Conc. et Sess.*, i. 22; *Reg. Mag. Sig.*, 24 October 1570. [13] *Ibid.*, 8 July 1541. [14] G. Ros, Protocol Book, i. 105. [15] *Ibid.*, 80*b*. [16] Nisbet's *Heraldry*, i. 242. [17] *Ibid.*

William Cathcart of Carbiston, from whom the Cathcarts of Carbiston are descended;[1] the present (1904) representative of the family being Robert Cathcart, Esq. of Carbiston, Ayrshire, and Pitcairlie, Fifeshire.[2]

5. *Hugh* of Arvy.[3] He had a charter of the lands of Arvy from his father (instrument dated 14 September 1517[4]), and of the lands of Knockskaith, in the barony of Dalmellington, 4 December 1516.[5] He married Egidia Crawfurd, daughter of John Crawfurd of Drongane.[6]
6. *Jonet*, married to John Crawfurd of Drongane,[7] Ayrshire, and received 400 merks of tocher for the marriage from her father.[8]
7. *Sibella*, married to John Wallace of Craigie, Ayrshire,[9] son and heir of Hugh Wallace of Craigie.
8. *Jean*, married to John Shaw of Haily, Ayrshire.[10]
9. *Margaret*, married to John Hunter of Hunterston,[11] from whom the family of Hunter of Hunterston are lineally descended, the present (1904) representative being Mrs. Hunter-Weston, of Hunterston.

III. ALAN, third Lord Cathcart, who succeeded his father as 'Master of Cathcart.' He witnessed a charter of 6 December 1531 (confirmed 6 January 1531-32[12]). He had a charter from his grandfather of the lands of East Barquhay, in the barony of Sundrum, 31 October 1533. He succeeded his grandfather, John, second Lord Cathcart, in 1535,[13] and had Crown charters of the lands and barony of Cathcart, in Renfrewshire, and of the lands and barony of Auchencruive, the lands of Hillhouse and Holmes, the lands and barony of Sundrum, and the lands and barony of Dalmellington, in Ayrshire, all dated 8 July 1541[14] (which lands he had resigned into the King's hands on 4 March 1537-38) to himself and the heirs-male of his body, whom failing, to Robert Cathcart of Carleton, David Cathcart of Douchra, Hugh Cathcart of Arvy, William Cathcart of Carbiston, Alan

[1] Crawfurd, 78. [2] Burke's *Landed Gentry*. [3] *Reg. Mag. Sig.*, 8 July 1541. [4] G. Ros, Protocol Book, i. 63. [5] Family Charters, No. 46. [6] G. Ros, Protocol Book, i. 63. [7] *Ibid.*, 94*a*. [8] Family Charters, No. 53. [9] *Ibid.*, No. 39. [10] Crawfurd, 78. [11] Hunterston Charter-chest. [12] *Reg. Mag. Sig.* [13] Crawfurd, 78. [14] *Reg. Mag. Sig.*

Cathcart of Troweir, William Cathcart of Bardaroch, James Cathcart of Drumjowan, William Cathcart of Drumsmoden, Hugh Cathcart of Nether Drumsmoden, John Cathcart of Glendowis, and the heirs-male of their bodies successively, whom failing, to his nearest heir-male bearing the name and arms of Cathcart. Unlike his grandfather, John, second Lord Cathcart, he entered actively into public life. He was one of the nobles chosen to be in the van of the Scottish army led by James v. against the English expedition under the Earl of Norfolk in October 1542.[1] He attended the Parliament of 1544.[2] He had a commission of justiciary granted to him by Queen Mary at Dumbarton 7 July 1546.[3] He sold Cathcart Castle and lands in Renfrewshire, 25 November 1543, to William, Lord Sempill, Gabriel Sempill, his brother, and John Blair of Blair, who divided the estate into three portions, Lord Sempill obtaining Cathcart Castle and adjoining lands, John Blair of Blair the lands of Bogtoun, and Gabriel Sempill those of Langside, as appears from an instrument on the division of the lands.[4] Subsequently Lord Sempill made over his share of the estate to his brother Gabriel.[5] Alan, third Lord Cathcart, was killed 10 September 1547, at the battle of Pinkie or Fawside.[6] By his testament, dated the day on which he was killed, and which he executed at Monktounhall, a place not far from the scene of the battle, he left his estate to his son Alan, Master of Cathcart, and his wife, Helen Sempill, and directs his executors to order 'mass and dirige to be said for the hele of my soul at the Blackfriars at Ayr, where my forebears lyis.'[7] He married Helen, eldest daughter of William, second Lord Sempill,[8] and by her had issue:—

1. Alan, fourth Lord Cathcart.

Also a natural son, *Alan*.[9]

[1] *Hamilton Papers*, i. 286, where he is styled Lord Sundrum; *Reg. Mag. Sig.*, 23 December 1543, 12 March 1544-45. [2] *Acta Parl. Scot.*, ii. 446. [3] Family Papers. [4] Family Charters; Blair Charters. [5] *Reg. Mag. Sig.*, 23 December 1543, and 12 March 1544-45; William Shaw, tenth Lord Cathcart, repurchased the 20 shilling lands of the Castlemains of Cathcart, with the tower and certain portions of land from the trustees of James Hill for £7000 (Disposition registered at Edinburgh 15 August, and dated 2 April 1805). [6] *Exch. Rolls*, xviii. 469; *Services of Heirs*, ii. 9, dated 14 March 1548 and recorded July 1795. [7] Family Writs. [8] Family Charters; *Estimate of Scots Nobility*, Alex. Hay, 1577, Grampian Club ed., 26. [9] Family Writs.

IV. Alan, fourth Lord Cathcart, born 1537.[1] He succeeded his father at the age of ten years, and was served heir to him on 14 March 1548.[2] Lord Sempill acted as his guardian in accordance with the directions contained in his father's testament, and *inter alia* undertook by contract (registered at Edinburgh 24 June 1550) to give the young lord in marriage to Elizabeth Crichton, the eldest daughter of Lord Sanquhar.[3] For some reason not recorded this arrangement did not come off, and by a contract dated 15 July 1555 Lord Sempill agreed to pay Elizabeth Crichton £1000 Scots for failure to implement the bargain.[4] Lord Cathcart early embraced the reformed religion. On 4 September 1562 he subscribed a 'band' by the noblemen and gentry of Ayrshire 'that we and everyone of us will maintain this holy evangill now of His free mercie offered unto this realm.'[5] When Lord Cathcart arrived at manhood Scotland was torn between two factions. On the one hand, the dissatisfied and more earnestly Protestant nobles and lairds were moving about in open rebellion. On the other, the Lennox faction, which also included many Protestant noblemen, such as the Earl of Morton, remained loyal to the King and Queen.[6] To the latter faction Lord Cathcart attached himself, and with a number of the more moderate of the western nobles entered into a 'band' for the defence of the King (Henry Darnley) and Queen Mary, upon 18 September 1565.[7] He was appointed to be in the vanguard of the royal army which marched from Edinburgh against the rebels at Dumfries on 8 October 1565.[8] Upon the death of Darnley and the rise of Bothwell, Lord Cathcart, probably becoming alarmed at the increasing power of the Papal party, transferred his allegiance to the Regent Moray.[9] He was joined by a number of nobles who had hitherto remained faithful to the Queen, amongst others the Earl of Eglinton and Lords Fleming, Livingstone, and Boyd.[10] He rapidly rose to a position of great eminence in the Protestant party, and appears to have been relentlessly opposed to the claims of

[1] *Particulars of Present State of Nobility of Scotland*, 1589, Grampian Club ed., 61. [2] *Special Retours, Ayr*, No. 702. [3] Cathcart Writs. This was by way of making amends for the death of Lord Sanquhar, whom Lord Sempill had murdered (*Renfrewshire Collections*, ii. 19). [4] *Reg. of Deeds*, i. fol. 184. [5] *Memorials of the Montgomeries*, ii. 192. [6] *P. C. Reg.*, xiv. 18. [7] *Ibid.*, i. 363. [8] *Ibid.*, 379. [9] *Ibid.*, xiv. 23. [10] *Ibid.*

Queen Mary. With Morton, Mar, Glencairn, Semple, and other nobles, he was accused by her Commissioners at the Conference at York, October 1568, with having beset the Queen on her way to Dunbar, imprisoned her at Lochleven Castle 17 June 1567, intromitted with her 'Cunzie House' and money, and with having pretended to crown her son at Stirling, 25 July 1567, then 'bot of threttene monthis auld,' and lastly, with having beset their Sovereign on the road to Dumbarton, overthrown her force, and caused her to take refuge in England.[1] Lord Cathcart joined the Regent Moray's Council Board in February 1568-69,[2] and was created a member of the Privy Council.[3] He was present at the Conventions held at Stirling February 1568-69,[4] at Perth July 1569,[5] at Edinburgh the day of the funeral of the Regent Moray, 14 February 1569-70,[6] at Edinburgh 14 March 1569-70,[7] and at Lennox's Canongate Parliament 14 and 19 May 1571.[8] He voted against the Queen's divorce from Bothwell July 1569.[9] On 1 May 1579 he received a commission with the Earls Morton, Angus, Mar, Eglinton, and Lords Ruthven and Boyd, to prosecute the Hamiltons, and upon the 7 November of the same year he was awarded the thanks of Parliament.[10] In November 1579 he was appointed Master of the King's Household,[11] and was frequently present in Council,[12] and in attendance at Holyrood.[13] He was one of the Commissioners who investigated the revelations by Scott of Balweary of the 'band' between the rebel northern Earls and Bothwell, whereby 'the King should have been taken and committed to perpetual prison, the Prince crowned, and Hamilton, Errol, and Angus chosen Regents,' 11 February 1594-95.[14] He was ordered to receive the prisoners taken by Lord Cassillis in his 'last conflict with Kennedy of Bargenny,' 17 December 1601.[15] He was appointed a Justice of the Peace for Ayrshire at the institution of the body 6 November 1610.[16] He had charters of the lands of Gas and Carbiestoun 12 June 1576,[17] and of the lands of Dalmellington, Auchencruive, and others, these lands being erected into

[1] *Calendar of Scottish Papers*, ii. 520, 553. [2] *Ibid.*, xiv. 23. [3] *P. C. Reg.*, ii. 13. [4] *Ibid.*, xiv. 26. [5] *Ibid.*, 27. [6] *Ibid.*, 32. [7] *Ibid.*, 42. [8] *Ibid.*, 97. [9] *Ibid.*, ii. 8. [10] *Ibid.*, iii. 150, 165. [11] *Exch. Rolls*, xx. 342; xxi. 123. [12] *P. C. Reg.*; *Calendar of Border Papers*, i. [13] *P. C. Reg.*, iv. 346. [14] *Ibid.*, v. 205-206. [15] *Ibid.*, vi. 323. [16] *Ibid.*, ix. 77. [17] *Reg. Mag. Sig.*

baronies 4 March 1607,[1] entailed on himself and on his grandson Alan, Master of Cathcart, and the heirs-male of their bodies, whom failing, on Gilbert Cathcart, his second son, and the heirs-male of his body, whom failing, on John Cathcart of Carleton. He had a Crown charter of the lands of Easter Carbiestoun 17 July 1602.[2] In a list and character of the Scots nobility, written probably about 1583-1602, there is a reference to Lord Cathcart, 'an ancient name and house and of some good friends. He is one of the Masters of Household to the King. His lyvinge and power not greatly valued.'[3] He died in December 1618,[4] having outlived his son. He married, first, Margaret, daughter of John Wallace of Craigie,[5] and, secondly, Florence McDougal, relict of John Kennedy of Baltersane,[6] and had:—

1. *Alan*, Master of Cathcart, born 1562.[7] By his contract of marriage, dated 9 February 1593-94, with Isobel, daughter of Thomas Kennedy of Bargany, he received from his father the lands of Monyvegis and others.[8] He died before his father, his testament being confirmed 23 July 1603.[9] By his wife Isobel Kennedy he had an only son,

    ALAN, fifth Lord Cathcart.

    He had also a natural son, *Alan*, mentioned in his father's will.

2. *Gilbert*.[10]

    Also two natural sons, *Robert* and *John*,[11] and a natural daughter, *Margaret*.[12]

V. ALAN, fifth Lord Cathcart, who succeeded, born *circa* 1600. He was educated at the University of Glasgow, matriculating on 3 April 1615.[13] He was served heir to his grandfather 8 May 1619,[14] and had charters of the lands and barony of Dalmellington and others, to himself and his wife, 12 December 1622.[15] He took an active part in public affairs, and like his grandfather was a warm adherent of

[1] *Reg. Mag. Sig.* [2] *Ibid.* [3] Bannatyne Club *Miscellany*, i. 67. [4] Crawfurd. [5] *Estimate of Scot. Nobility*, 68; *P. C. Reg.*, i. 275. [6] *Ibid.*, x. 155. [7] *Particulars concerning Present State of Nobility of Scotland*, 53. [8] *Reg. Mag. Sig.* [9] Edin. Tests. [10] *P. C. Reg.*, v. 666. [11] *Reg. Sec. Sig.*, lv. 7. [12] *See* will of Alan, Master of Cathcart, Edin. Tests., 23 July 1603. [13] *Munimenta Univ. Glasguen.*, iii. 70. [14] *Retours, Ayr*, No. 188. [15] *Reg. Mag. Sig.*

the Presbyterian party. He was present at the Parliament held in Edinburgh 25 July 1621,[1] and again at the Parliament held 4 August of the same year, when he voted with the minority against the ratification of the 'Five Articles of Perth,' which for a few years practically re-established Episcopacy in Scotland.[2] In the preceding January he was appointed one of a committee of fourteen selected from the Convention of the Council and nobility to consider the King's proposals for a voluntary contribution for the defence of the Palatine.[3] He died at Auchencruive 18 August 1628.[4] His will, written by Andrew, Bishop of Argyll, is dated 31 July 1628, and recorded at Glasgow 14 January 1629.[5] He married, first,[6] Margaret Stewart,[7] eldest daughter of Francis, Earl of Bothwell, without issue; and, secondly, Jean, daughter of Sir Alexander Colquhoun of Luss, contract dated 29 October 1626.[8] She survived him, and was married, secondly, to Sir Duncan Campbell of Auchinbreck, killed fighting against the army of Montrose 1645; thirdly, to the Hon. Sir William Hamilton, third son of James, first Earl of Abercorn.[9] By his second wife he had issue an only son:—

VI. Alan, sixth Lord Cathcart, born 1628, the year his father died,[10] and educated at the University of Glasgow, where he entered the fourth class in 1643.[11] He was served heir-general to his father and also to his 'attavus,' John, Lord Cathcart, 4 May 1630,[12] and heir-special to his father in the lands and barony of Sundrum and others, 25 June 1631.[13] He devoted a long life to the service of the State, and was a consistent supporter of the Presbyterian party. He frequently attended Parliament, and served on numerous commissions.[14] He was appointed to be on the Committee of War for Ayrshire 2 February 1646,[15] and again 18 April 1648,[16] and commanded as colonel a troop of Horse in the army prepared by the Government to oppose the invasion

[1] *P. C. Reg.*, xii. 549. [2] *Ibid.*, 558. [3] *Ibid.*, 404. [4] 'Accompt of the Sheriffdom of Renfrew,' by William Hamilton of Wishaw, *Description of Lanark and Renfrew*, Maitland Club, 116. [5] Glasgow Tests. [6] Contract dated 11, 22, 25, 26, and 27 August 1621 (*Deeds*, 340, 302). [7] *Reg. Mag. Sig.*, 12 December 1622; Family Charters, 129. [8] *Reg. Mag. Sig.*, 28 July 1632. [9] *See* vol. i. of this work, p.47. [10] Crawfurd. [11] *Munimenta Univ. Glasguen.*, 97. [12] *Retours*, ii.; *Inq. Gen.*, No. 1640, 1641. [13] *Retours, Ayr*, 275. [14] *Acta Parl. Scot.*, vi. vii. and viii. *passim*. [15] *Ibid.*, vi. 581. [16] *Ibid.*, vi. 34.

of Scotland by Cromwell, 1649.[1] He was the only nobleman who voted against the suppression of Presbytery in the Parliament of May 1661.[2] He and his son, the Master of Cathcart, were created Commissioners of Supply 28 May 1686.[3] He married Marion, eldest daughter of David Boswell of Auchinleck by Isabel, daughter of Sir John Wallace of Cairnhill, and had a charter to himself and his wife of the lands and baronies of Sundrum, Dalmellington, and Auchencruive, etc., dated 31 July 1643.[4] He died 13 June 1709,[5] having had by his wife three sons:—

1. ALAN, seventh Lord Cathcart.
2. *James.*
3. *David.* Killed in the public service about the time of the Revolution.[6]

VII. ALAN, seventh Lord Cathcart, born about 1647,[7] succeeded his father in his sixty-second year. He was appointed a Commissioner of Supply for the county of Ayr 1678,[8] lieutenant of the Militia in Kyle 1689.[9] He married[10] Elizabeth, second daughter of James, first Viscount Stair,[11] and died 19 October 1732.[12] He had issue:—

1. *Alan*, perished at sea in August 1699, on his passage to Holland,[13] 'whose death was much lamented upon the account of his affability, excellent parts, and other rare qualities.'[14]
2. CHARLES, eighth Lord Cathcart.
3. *James*, major in the army, and served on the Continent under Marlborough against the French, and in this country against the rebels. He was killed in a duel by Gordon of Ardoch,[15] 13 June 1716.[16]
4. *Margaret*, married to Sir Adam Whitefoord of Blairquhan, in the county of Ayr, and had issue,[17] and died January 1742.[18]

VIII. CHARLES, eighth Lord Cathcart, born about 1686, entered early into the army. Captain 29 June 1702.

[1] *Acta Parl. Scot.*, vi. 219, 290. [2] Wodrow's *Analecta*, iii. 413. [3] *Acta Parl. Scot.*, viii. 225. [4] *Reg. Mag. Sig.* [5] Crawfurd. [6] *Ibid.* [7] Douglas. [8] *Acta Parl. Scot.*, viii. 225. [9] *Ibid.*, ix. 26. [10] Contract 12 October 1672, *Deeds* (Durie), 18 June 1678. [11] Crawfurd. [12] *Political State*, xvii. 40. [13] *Retours.* [14] Crawfurd. [15] Hailes MS. Notes. [16] *Political State*, xi. 749. [17] Ayr Par. Reg. [18] Crawfurd; Paterson's *History of County of Ayr*, 471.

Troop in 2nd Dragoons, Scots Greys, 1706, and served in Flanders under General Macartney. Major of Brigade under Earl of Stair, Major Scots Greys 1709. On the accession of George I. appointed one of the Grooms of the Bedchamber. At the breaking out of the rebellion he joined the Duke of Argyll at Stirling, and was present at the battle of Sheriff-muir 13 November 1715, where he distinguished himself. Promoted to the command of the 9th Regiment of Foot 15 February 1717. Succeeded his father 1732, and was appointed one of the Lords of the Bedchamber to George II. in January 1735. Colonel of 6th Dragoon Guards (Carabineers) 7 August 1733. Representative Peer of Scotland 1734. Governor of Duncannon Fort 1735, and of Londonderry 1739, with the rank of Major-General. In 1740 he commanded the forces sent to attack the King of Spain in the American dominions, and sailed from Spithead in October. He died at sea 20 December of that year, and was buried on the beach of Prince Rupert's Bay, Dominica, where a monument is erected to his memory.[1] He married, first, 29 March 1718, at St. Mary Magdalene, Old Fish Street, London, Marion (born 7 December 1700), only daughter of Sir John Schaw[2] of Greenock, Baronet, in the county of Renfrew, by Margaret, daughter of Sir Hew Dalrymple, Baronet of North Berwick, Lord President of the Court of Session. She died at Edinburgh 31 March 1733, in her thirty-third year, and had issue:—

1. *George Allan.*
2. *John.* Twins, born at Edinburgh 21 March 1719, who both died young, and were interred in the chapel of Holyrood House.[3]
3. Charles, ninth Lord Cathcart.
4. *Schaw*, born at Edinburgh, 26 September 1722. Ensign 3rd Regiment of Foot, and killed at Fontenoy 30 April 1745, unmarried.[4]
5. *Hugh*, born at Ayr, 3 April 1725, died young.[5]
6. *Eleonora*, born at Edinburgh 3 March 1720, died in London 3 November 1769. Married at Edinburgh, 15

[1] Crawfurd; Douglas; *Complete Peerage*; Glasgow Tests., 9 November 1742. [2] Crawfurd's *Renfrewshire*, 88. [3] *Register of Burials in Chapel Royal*, Scottish Record Soc., 7. [4] Hailes MS. Notes, 8. [5] Douglas.

February 1744, to Sir John Houston of Houston, Renfrewshire, Bart., by whom he had a daughter:—

(1) *Anne*, married, 29 August 1769, to Alexander Cunninghame of Craigends, and had issue,[1] from whom the present family of that name is descended.

7. *Margaret*, born at Greenock 25 January 1724, died unmarried.[2]
8. *Elizabeth*, born at Edinburgh 24 April 1726, died unmarried.[3]
9. *Mary Anne*, born at Ayr 26 October 1727, married, 16 December 1754, to William, sixth Lord Napier, and had, with other issue, Francis, seventh Lord Napier. (*See title* Napier.) She died at Edinburgh 11 July 1774.[4]
10. ——, a daughter, who died immediately after her birth, 20 March 1733.[5]

Lord Cathcart married, secondly, 1739, Elizabeth, second daughter of Thomas Malyn, Esq. of Southwark and Battersea. She was married first to James Fleet of Tewin, Herts (who died 29 April 1733); secondly, to Captain Sabine, younger brother of General Joseph Sabine of Quinohall, in Tewin; thirdly, to Lord Cathcart; fourthly, 18 May 1745, to Hugh Macguire, an Irish officer in the Hungarian service, afterwards lieutenant-colonel in the British service, by whom she was confined for many years in Castle Nugent, co. Meath, in the fastnesses of Ireland. She died 3 August 1789, in her ninety-eighth year, and was buried at Tewin, without issue.[6] The eighth Lord Cathcart was succeeded by his third son—

IX. Charles Schaw, ninth Lord Cathcart, born at Edinburgh 21 March 1721. Succeeded his father 1740, and was served heir-special to him in the lordship of Cathcart, Sundrum, and Auchencruive, 30 July 1743.[7] Upon the death in 1752 of his maternal grandfather, Sir John Schaw of Sauchie and Greenock, he succeeded to the unentailed portions of the Greenock estates, which included Schaw Park and the estate of Sauchie, in Clackmannanshire, and a certain

[1] Crawfurd's *Renfrewshire*, 105. [2] Douglas. [3] *Ibid.* [4] *Ibid.* [5] *Ibid.*
[6] Brayley's *Beauties of England*, vii. 270; Maria Edgeworth's *Castle Rackrent.* [7] *Services of Heirs.*

part of the feus in the town of Greenock, with the mansion-house, and assumed the name and arms of Schaw in addition to his own.[1] He was served heir-special to his grandfather, Sir John Schaw, June 1753, and to his mother 25 June 1764.[2] In his twenty-first year he became captain in the 20th Regiment of Foot. He was Lord of the Bedchamber and aide-de-camp to H.R.H. the Duke of Cumberland at the battle of Fontenoy, 31 May 1745, where he was severely wounded in the face, and bore the scar to his death. He became colonel and adjutant-general of the forces in North Britain 21 January 1750, and finally lieutenant-general 14 December 1760. With the Earl of Essex he was, in November 1748, nominated a hostage to France for the performance of the treaty of Aix-la-Chapelle for the restitution of Cape Breton to the French, and remained in that country until October 1749. He was elected a Representative Peer for Scotland 16 November 1752-76, and was appointed High Commissioner to the General Assembly of the Church of Scotland 1755-63 and 1773-76. Appointed Governor of Dumbarton Castle 1761-64, and invested K.T. 13 April 1763. Lord Commissioner of Police 1764-68. In 1768 he was appointed Ambassador to the Court of St. Petersburg, where he remained until 1771. Lord of the Bedchamber 1776. The estate of Auchencruive was sold in 1764 to Richard Oswald, Esq., in whose family it still remains, the present representative being Richard Oswald, Esq. of Auchincruive. Sundrum was purchased about 1750 by the trustees of John Hamilton, Esq., whose descendant, Claude Hamilton, Esq. of Sundrum, is the present proprietor. Upon parting with the beautiful estate of Auchencruive, which had been in the family since 1376, Schaw Park, in the county of Clackmannan, which had been purchased by Sir John Schaw in the beginning of the eighteenth century, became the family seat of the Lords Cathcart. He married, at Greenwich Hospital, 24 July 1753, Jean, second daughter of Lord Archibald Hamilton, seventh son of Anne, *suo jure* Duchess of Hamilton, by his second wife, Jane, fifth daughter of James Hamilton, sixth Earl of Abercorn. She was born in London 19 August 1726, died at St. Petersburg 13 November 1771, and was buried in Audley Chapel, St. George's, Hanover

[1] Crawfurd's *Renfrewshire*, 267. [2] *Services of Heirs.*

Square, London. Lord Cathcart died after a long illness at his house in London, 14 August 1776, in his fifty-sixth year. He left issue:—

1. WILLIAM, tenth Lord Cathcart.
2. *Charles Allan*, born at Schaw Park, Clackmannanshire, 28 December 1759. Served in America 1776, in the 52nd Regiment of Foot, and had a lieutenancy in the 23rd Regiment of Foot or Royal Welsh Fusiliers. In 1778 he was given a company in the Atholl Highlanders (79th Foot). Appointed major of 98th Foot 29 May 1780, and lieutenant-colonel of that regiment. He afterwards served on a diplomatic mission under Sir John Macpherson. He commanded the Grenadiers of the army with great gallantry against the French at the storming of the redoubts at Cuddalore 13 June, and in the trenches 25 June, 1783. For his conduct on these occasions he was, on returning to England with despatches, constituted Quartermaster-general to the Forces in India 3 August 1783, and presented with a sword of honour by the Court of Directors 1784. The same year he was returned to Parliament for the county of Clackmannan, and in 1788 was invested with ambassadorial powers by the King to open a commercial intercourse with the Emperor of China. He died on the passage to China 10 June 1788, unmarried. A monument to his memory was erected in the Dutch port of Anjer by his companions on the voyage.
3. *John*, born at London 23 April 1761, died when nine months old, buried in Audley Chapel.
4. *Archibald Hamilton*, born at Schaw Park 25 July 1764. Prebendary of Barnaby on the Moor, Cathedral of York, November 1800, Prebend of Langtoft, Rector of Methby, co. York, 1802. Married, at London, 3 March 1790, Frances Henrietta (who died 26 April 1821), daughter of John Freemantle of Abbots-Aston, in Buckinghamshire, and had issue:—

   (1) *Archibald William*, born in 1796, died unmarried 1815.
   (2) *Frances Louisa*, born 19 August 1794, died unmarried 18 October 1881.

(3) *Marianne Elizabeth*, born 13 October 1798, died 16 December 1850.

(4) *Catherine Selina*, born 6 August 1800, married, 4 November 1839, to Robert Smith of Capenhurst House, Chester.

(5) *Frederica*, born 13 May 1804, married to John Lodge, and died 4 August 1860.

(6) *Charlotte*, born 1 November 1805, died unmarried 15 May 1882.

(7) *Isobella Sophia*, born 29 December 1808, died December 1896, married, 3 November 1829, to Sir Samuel Crompton, Bart., M.P. of Woodend, Yorkshire (born July 1785, died 27 December 1849), and had issue:—

i. *Elizabeth Mary*, married, 2 April 1850, to Alan, third Earl Cathcart, the present Earl.

(8) *Elizabeth Sarah*, born 28 July 1814, married, 2 June 1842, to Major Robert Stuart, late H.M. Minister at Hayti. He died 17 June 1901.

5. A son, stillborn, at London, 7 June 1768, buried in Audley Chapel.

6. *Jane*, born at London 20 May 1754, married, as his first wife, at London, 26 December 1774, to John, Duke of Atholl, and had issue. Died at London 5 December 1790.

7. *Mary*, born at London 1 March 1757, married, at London, 26 December 1774, to Thomas Graham of Balgowan, Perthshire, M.P., only surviving issue of Thomas Graham of Balgowan by Lady Christian Hope, sixth daughter of Charles, first Earl of Hopetoun, created Baron Lynedoch of Balgowan, Perthshire, 3 May 1814. Her portrait, magnificently painted by Gainsborough, is now in the Scottish National Gallery. He died 18 December 1843. She died without issue at Hyères, 26 June 1792.[1]

8. *Louisa*, born at London 1 July 1758, married, first, 5 May 1776, to David, seventh Viscount of Stormonth, nephew of William, Lord Mansfield, Lord Chief-Justice of the Court of King's Bench, who was created, 31 October 1776, Earl of Mansfield in the county of Nottingham, with remainder to Louisa, Viscountess of Stormonth, and the heirs-male of her body by David, Viscount of Stormonth; and 26 July 1792, Earl of Mansfield in the county of Middlesex, with remainder to the heirs-male of the body of

[1] Foster's *Members of Parliament* (*Scot.*), 157.

his father, David, fifth Viscount of Stormonth. On the death of the Earl of Mansfield in 1793, the Viscountess became Countess of Mansfield, co. Nottingham, in her own right, while her husband became Earl of Mansfield of Middlesex. He died 1 September 1776, and the Countess married, secondly, 19 October 1797, her cousin-german, Robert Fulk Greville, brother of the Earl of Warwick, and had issue to both. (*See title* Stormonth.)

9. *Charlotte Catherine*, born at Kaminioi, Ostrow, Russia, 8 July 1770, baptized 3 August following, the King and Queen of Great Britain and Empress of Russia being sponsors; Maid-of-honour to Queen Charlotte; died unmarried at London 20 October 1794.

X. William Schaw, tenth Lord Cathcart, was born at Petersham, Surrey, 17 September, and baptized 15 October, 1755, educated at Eton 1766-71. Served heir-general to his father 19 December 1776. Accompanied his father to St. Petersburg 1768. Studied law at Dresden and Glasgow, entered Lincoln's Inn November 1775, and was admitted a member of the Faculty of Advocates 23 July 1776. Entered the army (7th Dragoons) in 1777, and served with the 16th and 17th Light Dragoons in America. Aide-de-camp to Sir Thomas Wilson 1777, and given command of an irregular corps of infantry named the Caledonian Volunteers, with provincial rank of lieutenant-colonel. Having resigned this command, he was appointed major 38th Regiment in 1779, and became Quartermaster-general to the Forces in America shortly afterwards. On returning to England he was appointed lieutenant-colonel Coldstream Guards 1781, but exchanged in 1789 to 29th Regiment, of which, in 1792, he became colonel. He became colonel in the army 1792; major-general 1794; lieutenant-general 1801, and general 1812. He accompanied the Earl of Moira to the relief of Ostend 1794; and joined the Duke of York at Malines 9 July. Commanded a brigade at the defeat of the French at Bommel, and on 8 January 1795 attacked the French near Bureu, and after an action of several hours drove the enemy from their position and captured a piece of cannon. He remained in Germany in command of the British light

cavalry and foreign light corps in British pay until December 1795, when he returned to Britain. Appointed by the King colonel of 2nd Life Guards, Gold Stick, 7 August 1797, Vice-admiral of Scotland 1795, Representative Peer for Scotland 1788-1807, Chairman of Committee of House of Lords 1790-94, Lord Lieutenant Clackmannanshire 17 March 1794, Privy Councillor 1798, Privy Councillor (Ireland) 1803, Commander-in-chief of the Forces in Ireland 1803-5. Being appointed Ambassador Extraordinary to the Court of St. Petersburg, he was invested K.T. at his audience of leave at Windsor 23 November 1805. Commanded the British troops in Hanover December 1805, and on returning home after battle of Austerlitz was appointed Commander of the Forces in Scotland 1806-14. Commander-in-chief of the army in Denmark June to October 1807. Captured, at Copenhagen 7 September 1807, the Danish fleet, which he brought to England. In recognition of his services he was received in audience by the King at Windsor, and created a British Peer 3 November 1807 by the title BARON GREENOCK OF GREENOCK and VISCOUNT CATHCART OF CATHCART in the county of Renfrew. Proceeding to Scotland, he was awarded the freedom of the city of Edinburgh 17 November 1807. On 28 January 1808 he received the thanks of both Houses of Parliament for the decisive measures employed by him to obtain the surrender of the navy of Denmark and the arsenals of Copenhagen, and a sum estimated at £300,000 of prize-money was divided between him and Admiral (afterwards Lord) Gambier.[1] He was ambassador to the Court of Russia from July 1812 to 1821, and was one of the commissioners who invested the Emperor with the Order of the Garter on 27 September 1813. This was the first of the special Garter missions of the nineteenth century, and the Emperor was elected by a special statute, as a supernumerary Knight, which formed a precedent for subsequent similar nominations of foreign potentates who previously had been elected only when a vacancy occurred. He was military adviser to the German and Russian generals, and accompanied the Emperor Alexander of Russia during the

[1] But the present Lord Cathcart states his grandfather's share to have been not more than £18,000 or £20,000; *see The Genealogist*, new ser., v. 207.

campaign of 1812-13 and entered Paris by his side, Knight fourth class of St. George of Russia 30 September 1813, Knight of St. Anne of Russia 30 September 1813, Knight of St. Andrew of Russia 6 May 1814. On 16 July 1814 he was created EARL CATHCART in the British Peerage. Joint Minister Plenipotentiary to the Congress of Vienna 1814-15. Governor of Hull 18 January 1830. Commissioner of the Royal Military College and Royal Military Asylum. He married, at New York, 10 April 1779, Elizabeth, daughter and co-heiress of Andrew Elliot of Greenwells, Roxburghshire, Lieutenant-Governor of New York, brother of Sir Gilbert Elliot of Minto, by Elizabeth Plumstead, a Philadelphian lady of an originally settled English family. She was appointed Governess and Lady of the Bedchamber to the younger Princesses in January 1793, one of the Ladies of the Bedchamber to the Queen in October 1795, Lady-in-waiting 1801, and subsequently Mistress of the Robes, and died at Cathcart House, Renfrewshire, 14 December 1847. The Earl died 16 June 1843 at Cathcart, Glasgow, in his eighty-eighth year; will proved July 1843. He had issue:—

1. *William*, Master of Cathcart, born at London 30 June 1782; educated at Eton; entered the navy and served with great distinction under Lord Nelson. He died of yellow fever while commanding the frigate *Clorinde* off Jamaica, 5 June 1804, unmarried.
2. Charles Murray, second Earl and eleventh Lord Cathcart.
3. A son, stillborn, at Schaw Park, 1 September 1785.
4. *Frederick*, born at Twickenham, Middlesex, 28 October 1789. Cornet in the Scots Greys January 1805. Served as aide-de-camp to his father 1805-8. Colonel in the army. Knight of the Russian Order of St. Anne. Minister Plenipotentiary at Frankfort. Married, 18 October 1827, Jane, daughter and heiress of Quentin M'Adam, Esquire of Craigengillan, Ayrshire, and assumed the surname of M'Adam. He died without issue 5 March 1865; his widow died 25 April 1878.
5. *George*, born at London 12 May 1794, lieutenant-general in the army, K.C.B. Served as A.D.C. to the

Duke of Wellington at Waterloo. Deputy Lieutenant of the Tower of London 1846. Governor and Commander of the Forces at the Cape of Good Hope 1852. Appointed Adjutant-general to the Forces, a post which he held till his death. Commanded the fourth division of the British army in the Crimea, and, after a highly distinguished military career, fell at the battle of Inkerman 5 November 1854. He married, 12 May 1824, Georgina Greville, daughter of Louisa, Countess of Mansfield, and her second husband the Hon. Robert Greville. She died 12 December 1871, and by her he had issue:—

(1) *George Greville*, born 13 December 1832. Died unmarried 12 May 1841.
(2) *Jane*, born 21 October 1825.
(3) *Louisa Margaret*, born September 1827, died 12 March 1835.
(4) *Georgiana Mary*, born 20 April 1829, died unmarried 7 June 1852.
(5) *Alice*, born 7 September 1830, died unmarried 14 June 1855.
(6) *Emily Sarah*, born 29 November 1834; V. A.; Maid-of-honour 1855-80, and afterwards Woman of the Bedchamber to Queen Victoria.
(7) *Louisa*, born 29 June 1839, died unmarried 25 June 1890.
(8) *Anne*, born 23 October 1840.

6. *Adolphus Frederick*, born at London, 28 June 1803. Lieutenant-colonel in the army retired. Late lieutenant-colonel 1st Berwickshire Rifles. Married, 2 July 1832, Margaret, second daughter of the late William Foreman Home, Esquire of Wedderburn, Berwickshire. She died 29 April 1861. He died *s. p.*
7. *Jane Elizabeth*, born 25 January 1780, died in New York while an infant.
8. *Louisa*, born 14 June 1791, died 28 December 1874.
9. *Mary Elizabeth*, born at Windsor 22 September 1796, died 12 April 1862.
10. *Augusta Sophia*, born at London 25 November 1799, died 18 November 1846.

XI. Charles Murray, second Earl and Viscount Cathcart, and Baron Greenock, of the United Kingdom, and eleventh Baron Cathcart in Scotland. Born at Waltons in Essex 21 December 1783, ensign in 71st (Highland) Regiment May 1799; served in Holland as lieutenant 40th Regiment of Foot 10 August 1799; exchanged into

2nd Life Guards 2 March 1800. Had a company 6th West India Regiment 3 February 1803, and was made captain 39th Foot 9 July 1803; Assistant Quartermaster-general (Naples and Sicily) 1806-7. Became major 14 May 1807, and served in the Walcheren Expedition in 1809; Quartermaster-general of the Army 16 May 1809, in the Peninsula 1812-13, and of the cavalry 1814-23; lieutenant-colonel 30 August 1810; present at the battle of Barossa 6 April 1812, and at the battle of Salamanca, and Vittoria, and received the gold war-medal with two clasps 1812. He was styled Lord Greenock after his father received his Peerage of Great Britain. Created C.B. 4 June 1815. Knight of St. Vladimir of Russia 21 August 1815. Knight of Wilhelm of the Netherlands October 1815. He had three horses shot under him at the battle of Waterloo 1815, and received the medal 1816. Colonel in the army 12 August 1819, and lieutenant-colonel Royal Staff Corps, Hythe, 26 June 1823; major-general 22 July 1830. He was appointed Governor of Edinburgh Castle and Commander of the Forces in Scotland 17 February 1837—a position which he held till 1 April 1842. On 18 July 1838 he was nominated K.C.B. and invested by dispensation 5 September 1839. Lieutenant-general 23 November 1841. He was also colonel of the 11th Hussars 1842; of the 3rd Regiment of Dragoon Guards 1847, and of the 1st Regiment Dragoon Guards 1851. Commander-in-chief in Canada 15 June 1845 to 11 May 1847; Captain-general and Governor-in-chief of Canada, and Governor-General of British North America 10 March 1846. Commander of the Northern and Midland district of England 1849-54. G.C.B. 21 June 1859; general in the army 20 June 1854. On his retirement from Hythe in 1830 Lord Cathcart resided in Edinburgh, and devoted himself largely to scientific pursuits; he was elected a Fellow of the Royal Society there and read several papers which were published in its *Transactions*. He died 16 July 1859 at St. Leonards-on-Sea, his will being proved 10 October 1859. He discovered a new mineral, sulphate of cadmium, which was named 'greenockite' after him.[1] He married, at Château Denacre, Boulogne, France, during the British army of occupation there, 30 September 1818; and again at Portsea, 12 February

[1] *Dict. Nat. Biog.*

1819, Henrietta, second daughter of Thomas Mather, Esquire, and by her, who died at Inch House, Edinburgh, 24 June 1872, had issue:—

1. *Charles*, born 23 November 1824, died 11 November 1825.
2. Alan Frederick, present Earl.
3. *Augustus Murray*, late lieut.-colonel Grenadier Guards, and served in the field during whole period of the Crimean War, being A.D.C. to his uncle Sir George. J.P. Yorks. Born 18 August 1830, married, 28 November 1866, the Hon. Jean Mary Orde-Powlett, only daughter of William Henry, first Lord Bolton, and has:—

   (1) *Frederick Adrian*, born 26 June 1873. Captain 3rd Batt. York and Lancaster Regiment; served in South Africa.
   (2) *Augustus Ernest*, born 4 March 1875. Lieut. the King's Royal Rifle Corps; served in South Africa.
   (3) *William Harold*, born 3 May 1880. Lieut. 3rd Batt. Worcester Regiment. Died of enteric fever on active service in South Africa 7 January 1902.
   (4) *Charles Claud*, born 19 December 1884, died 19 August 1885.
   (5) *Ethel Jean*, born 1 March 1868, died 1 December 1874.
   (6) *Mary Mildred*, born 10 May 1876.
   (7) *Constance*, born 17 August 1877, married, 1 June 1897, to William Harris Ferrand of Birstarth Hall, Ripley, Yorks, born 9 March 1873, eldest son of William Ferrand, Esq. of St. Ives, Hurden Grange and Upwood, co. York, and has issue:—
      i. *Geofrey William*, born 6 November 1899.
   (8) *Leta Adine*, born 10 April 1882.
   (9) *Vera*, born 10 June 1883.

4. *Elizabeth*, born 2 July 1821, died 27 February 1896, married, 1 June 1843, to General Sir John Douglas, G.C.B., of Glenfinart, who died 6 September 1887, leaving issue:—

   (1) *Neil Cecil Frederick Douglas*, captain late Scots Guards, deceased.
   (2) *Charles J. C. Douglas*, J.P., D.L. co. Argyll, late 79th Queen's Own Cameron Highlanders; born 23 August 1857; married, 17 November 1880, Helen Tolmie Dick, eldest daughter of General John Bayly, C.B., R.E.

5. *Henrietta Louisa Frances*, born 23 April 1823, died 10 November 1869.
6. *Adelaide*, born 13 July 1833; died 15 February 1871; married, 13 July 1850, to John Randolphus de Trafford,

Esq. of Croston Hall (born 11 April 1820, died 3 February 1879), and had issue:—

(1) *Sigismund Cathcart* of Croston Hall, born 31 July 1853. J.P. Lanc.; lieut. late 14th Foot; married, 20 November 1879, Clementina Frances, fourth daughter of Sir Pyers Mostyn, eighth Baronet, and has issue:—

i. *Geoffrey Edmond*, } twins, born 12 December 1891.
ii. *Reginald Francis*, }
iii. *Ermyntrude Frances*, born 10 August 1883.
iv. *Elfrida Adelaide*, born 8 June 1886.

(2) *Galfrid Aloysius Cathcart*, born 4 August 1856, late lieut. 2nd Batt. Royal Fusiliers; married, 20 August 1887, Cecile Elizabeth Margaret, only child of Comte Hubert de Stacpoole, and has:—

i. *Sicell Noel*, born 24 December 1888.
ii. *Ralph Eric*, born 30 April 1892.
iii. *Daphne Elizabeth Adelaide Mary*, born 25 September 1903.

(3) *Randolphus Cathcart*, born 4 September 1857, died unmarried 31 March 1900.

(4) *Charles Alan*, born 8 February 1871. Vice-consul at Brest; late captain 3rd Batt. West Riding Regiment; married, 29 May 1900, Victoria Seymour, daughter of Hugh, sixth Marquess of Hertford, and has issue:—

i. *Joan Agnes Seymour.*

(5) *Henrietta*, married, 2 August 1877, to Hon. Henry Robert Orde Powlett, and has:—

i. *Kathleen Mary*, born 21 November 1878; married, 16 April 1902, to Sir Leslie Falkiner, Bart., with issue.
ii. *Ivy*, born 8 January 1882.

(6) *Mary Adelaide.*

XII. Alan Frederick, third Earl Cathcart and Viscount Cathcart, and Baron Greenock in the British Peerage, and twelfth Baron Cathcart in Scotland, born at Hythe, co. Kent, 15 November 1828, served heir-general to his father 1859, styled Lord Greenock 1843-59, second lieut. 23rd Regiment (Royal Welsh Fusiliers) 30 May 1845, adjutant 25 August 1846, first lieut. 17 December 1848-50, aide-de-camp to Lieut.-General Earl Cathcart February 1849 to October 1850, major North York Regiment of Militia 24 March 1853-55, D.L. North Riding, co. York, 1853; chairman of Quarter Sessions, North Riding, co. York, 1858; lieut.-colonel 1st North Riding Batt. of Rifle Volunteers 7 July 1860, and hon. colonel 7 July 1871. LL.D. *honoris causa*, Cambridge. Married, at Thornton-le-Street, 2 April 1850, Elizabeth Mary, eldest daughter and heiress of the late Sir Samuel Crompton, Baronet of Woodend, co.

York, by Isabella Sophia, daughter of the Rev. and Hon. Archibald Hamilton Cathcart, younger brother of the first Earl Cathcart, and has issue :—

1. Alan, Lord Greenock, born 18 March 1856. J.P., D.L. North Riding, formerly lieut. 6th Dragoon Guards, late of the Scots Guards.
2. *Charles*, born 23 December 1859, died 21 May 1880, lieut. 79th Regiment, unmarried.
3. *George*, born 24 June 1862, late lieutenant, 4th Batt. Princess of Wales's Own.
4. *Reginald*, born 9 November 1870, captain 3rd Batt. King's Royal Rifle Corps, killed in action at the relief of Ladysmith, South Africa, 22 February 1900.
5. *Archibald Hamilton*, born 30 January 1873.
6. *Isabel*, born 25 September 1851, died 29 November 1856.
7. *Cecilia*, born 5 December 1857, married, 26 July 1883, to Captain Edward Temple Rose, late 10th Hussars, son of Sir John Rose, first Baronet of Montreal, P.C., G.C.B.
8. *Ida*, born 26 April 1865, married, 25 July 1886, to Thomas Leigh Hare, of Stow Hall, Norfolk, M.P., and has issue.
9. *Marion*, born 14 June 1867.
10. *Emily*, born 27 December 1868.
11. *Eva*, born 12 May 1874.

Arms.—Azure, three cross crosslets fitchée issuant from as many crescents argent.

Crest.—A dexter hand couped above the wrist and erect ppr., grasping a crescent argent.

Supporters.—Two parrots proper.

Motto.—*I hope to speed.*

[N. J. K. C. P.]

CHURCHILL, LORD CHURCHILL OF EYEMOUTH

JOHN CHURCHILL who was second but first surviving son of Sir Winston Churchill, Knight, Comptroller of the Board of Green Cloth, by his wife Elizabeth, daughter of Sir John Drake of Ashe, co. Devon, and sister of the first Baronet of the same name, was born 24 June 1650 at Axminster. He entered the army in 1667, and was Gentleman of the King's Bedchamber in 1673. On 21 December 1682 he was created LORD CHURCHILL OF EYEMOUTH, co. Berwick, in the Peerage of Scotland, with remainder to the heirs-male of his body. For his distinguished services to his country he was subsequently created, 14 May 1685, BARON CHURCHILL OF SANDRIDGE, co. Hertford; 9 April 1689, EARL OF MARLBOROUGH, co. Wilts, and finally, 14 December 1702, MARQUESS OF BLANDFORD and DUKE OF MARLBOROUGH, all in the Peerage of England. It is unnecessary to enter into a detailed account of the career of this distinguished commander, which belongs to the general history of his times. It is sufficient to say that he married, 1 October 1678, Sarah, second daughter and co-heir of Richard Jennings of Sandridge, Herts, by Frances, daughter and co-heir of

Sir Gifford Thornhurst, Bart., and died, *s. p. m. s.*, 16 June 1722, at Cranbourne Lodge, near Windsor. His widow died 18 October 1744, aged eighty-four. By her he had:—

1. *John*, Lord Churchill and Marquess of Blandford, born 13 February 1689-90. He died, *vitâ patris*, of the smallpox at King's College, Cambridge, 20 February 1702-3.
2. *Henrietta*, *suo jure* Duchess of Marlborough, born 24 July 1681, married, in 1698, to Francis Godolphin, afterwards second Earl of Godolphin. She died 24 October 1733.
3. *Anne*, married, as his second wife, in January 1699-1700, to Charles Spencer, fourth Earl of Sunderland, and died 15 April 1716 at Brington, aged thirty-three.
4. *Elizabeth*, married, as his first wife, 9 February 1703, to Scroop Egerton, first Duke of Bridgewater, and died 22 March 1714, aged twenty-six, at Little Gaddesden.
5. *Mary*, married, 17 March 1704-5, to John Montagu, second Duke of Montagu, whom she survived, and died 14 May 1751, aged sixty-one, and was buried at Warkton.

Creations.—21 December 1682, Lord Churchill of Eyemouth, in the Peerage of Scotland; 14 May 1685, Baron Churchill of Sandridge; 9 April 1689, Earl of Marlborough; 14 December 1702, Marquess of Blandford and Duke of Marlborough, all in the Peerage of England.

Arms.—Quarterly:—1st, Sable, a lion rampant argent, a canton of St. George in augmentation, viz., argent a cross gules, for *Churchill*; 2nd, Bendy of ten argent and azure, a bordure or; 3rd, Argent a fess parted per fess gules and or, in chief three trefoils slipped proper; 4th, Parted per pale gules and azure, in the first a tree eradicated proper, supported by a lion rampant argent in the second, for *Winston*.

Crest.—A lion couchant guardant argent supporting in

his dexter paw a banner gules, charged with a dexter hand couped at the wrist, of the first.

SUPPORTERS.—Two wyverns gules, each gorged with a collar or and pendent therefrom an oval shield azure charged with a saltire argent.

MOTTO.—*Fiel pero desdichado.*

[J. B. P.]

Colville of Culross

LORD COLVILLE OF CULROSS, NOW VISCOUNT COLVILLE OF CULROSS

THE name Colville first appears in Scotland in the twelfth century, but one of William the Conqueror's followers in 1066 was Gilbert de Colleville, who was of Norman descent, deriving his name from Coleville, a town near Caen, in Normandy.[1] He and his descendants acquired various possessions in England, and several members of the family attained nobility in 1264, and later. But the earliest of the name on record in Scotland was

PHILIP DE COLVILLE, who possessed Oxnam and Heiton, co. Roxburgh, which had belonged to the Percies,[2] and also lands in Ayrshire, in the reign of King Malcolm IV. He was a witness to charters by that King in 1154 and 1160,[3] and he appears also a witness to various charters by King William the Lion.[4] He was among the hostages given under the treaty at Falaise in 1174.[5] He and his son are named as witnesses to the settlement of a dispute between

[1] *Nobiliaire de Normandie*, E. De Magny, 3. [2] *Cart. de Dryburgh*, 163, 164; *Orig. Parochiales*, i. 389, 390. [3] *Acta Parl. Scot.*, i. 364; *Reg. Epis. Glasguensis*, i. 15. [4] *Caledonia*, i. 543. [5] *Cal. Docs. Scot.*, i. No. 139.

the Bishop of Glasgow and William Comyn between 1200 and 1202.[1] It is probably he who appears as a witness with King William and others to an agreement between the monks of Melrose and Patrick, Earl of Dunbar, in 1208.[2] He had issue:—

1. Thomas, who succeeded him in Oxnam.

Thomas de Colevill, son of Philip de Colevill, is first referred to in 1181, when he perambulated certain lands which had been granted to the monks of Melrose.[3] In a charter dated after 1200 he styles himself 'Thomas de Colevilla cognomento Scotus,' granting lands in Ayrshire to Melrose Abbey.[4] About 1210 Thomas was imprisoned in Edinburgh Castle for alleged complicity in a plot against King William, but his innocence being established, he was liberated after six months' imprisonment.[5] In 1215 he was sent as a hostage to the court of King John of England, and was detained in Corfe Castle until the following year.[6] He died in 1219,[7] leaving issue by his wife Amabilis, three sons and four daughters:—

1. Sir John, of whom hereafter.
2. *William*, who received from his brother, Sir John, the church of Ochiltree. In 1224 he made a grant to the monastery of Newbattle.[8] He also leased to them part of the lands of Kinnaird, co. Stirling, of which he was proprietor, a grant confirmed by King Alexander II. on 15 September 1228. When his youngest brother Thomas died, he claimed to succeed him in the barony of Ochiltree, but Sir John objected, and gave the patronage of the church to the Hospital of Torphichen. After a long dispute it was agreed that William should pay the hospital a yearly pension for his life. But he died shortly after the agreement was made.[9] He married Ada, the widow of John Malherbe or Morham, and mother of John Morham.[10]
3. *Thomas*, to whom his brother Sir John gave the

[1] *Reg. Epis. Glasguensis*, i. 78, 79. [2] *Liber de Melros*, 91-94. [3] *Ibid.*, 111. [4] *Ibid.*, 172, 173. [5] *Chron. de Mailros*, 109. [6] *Cal. Docs. Scot.*, i. No. 620. [7] *Chron. de Mailros*, 135. [8] *Reg. de Neubotle*, 74, 153. [9] Narrative by Eustacia Colville, *Liber de Melros*, ii. 363, 364. [10] *Reg. de Neubotle*, 67, 74.

barony of Ochiltree. He died without lawful issue, and the barony was claimed by William Colville as above, but reverted to the main line at William's death.[1]

4, 5, 6, 7. Four daughters, three of whom married into the families of Marshall, Maitland, and Heron, but their names, and those of their husbands, are not recorded. The fourth died unmarried. They claimed the barony of Ochiltree as heirs of their brother William.[2]

Sir John Colville was lord of Oxnam and Ochiltree, but little is known of him except his transactions with his brothers, which are detailed in a statement by his grand-daughter Eustacia.[3] He died leaving, so far as recorded, one son,

William Colville, who immediately after his succession was involved in litigation with his aunts, who strove to recover from him the barony of Ochiltree. While this suit was pending he went to reside in England, where he held the lands of Spinylstane or Spindleston, in Northumberland.[4] He is said to have died about the year 1280, leaving issue by his wife, a daughter of Sir John de Normanville, so far as on record, a son and a daughter:—

1. Thomas, who succeeded.
2. *Eustacia*, who received from her father the barony of Ochiltree, with the patronage of the church there. She married, as his second wife, Reginald Le Cheyne the elder, whom she survived for many years, having no issue. She was his widow in 1296, when she appears in the Homage Roll, and she lived until after 18 July 1316, when she granted the church of Ochiltree to the monks of Melrose, narrating at the same time the history of her family's connection with the church.[5]

Sir Thomas Colville, lord of Oxnam, succeeded. He appears in the Homage Roll as giving allegiance for lands

[1] Narrative by Eustacia Colville, *Liber de Melros.* [2] *Ibid.* [3] *Ibid.* [4] *Ibid.*; *Cal. Docs. Scot.*, i. No. 1514. [5] *Liber de Melros*, ii. 363, 364.

in Dumfriesshire, and he also possessed the lands of Gosford, in Midlothian.[1] He seems to have resided in England during 1297, but had a safe-conduct to Scotland on 12 November, with Ivo de Colville. He had various commissions to raise troops to fight the Scots, both before and after Bannockburn, but at the peace of 1319 he returned to Scotland, where in 1320 King Robert Bruce bestowed on him the half-lands of Whitsome. He died between that date and the year 1324,[2] leaving issue:—

1. *William*, the eldest, who had the lands of Spindleston and Botel, in Northumberland, but died without issue, leaving or giving his lands to his youngest brother Philip.
2. ROBERT, who succeeded to Oxnam.
3. *Philip*, who received Spindleston and Botel from his brother William. He married Agnes Mordington, daughter of Peter Mordington of that Ilk, who survived him and married Henry Haliburton. He had no issue, and his brother Robert in 1300 claimed the lands as heir to William, his eldest, and Philip, his youngest brother, and in 1302 they were granted to him, as Henry Haliburton and his wife, the liferentrix, were 'rebels.'[3]

SIR ROBERT COLVILLE of Oxnam and Ochiltree, the second son of Sir Thomas, is first named as doing homage in 1296.[4] He was faithful to his oath, and in 1302 received a grant of the lands of Spindleston and Botel, in Northumberland, which had been held by his deceased brothers. He was knighted before July 1306, and he is a witness to a charter by Antony, Bishop of Durham, in 1310.[5] He took an active part under King Edward II. against the Scots, for which he had the King's thanks, and remained in the English service until 1319. Before or in 1324 he succeeded his father, and had a charter of the barony of Ochiltree, at the same time confirming his aunt Eustacia's grant to Melrose.[6] In 1329 his lands were forfeited, and he again joined the English faction, receiving frequent commissions

[1] *Cal. Docs. Scot.*, ii. pp. 198, 210, No. 857. [2] *Liber de Melros*, ii. 367. [3] *Cal. Docs. Scot.*, ii. Nos. 1131, 1336. [4] *Ibid.*, No. 730. [5] *Ibid.*, No. 1802; iii. No. 1147. [6] *Liber de Melros*, ii. 367, 368.

against the Scots, although it is difficult to distinguish between him and another Robert Colville of Dale, also frequently mentioned. He died before 2 April 1341, when his widow had leave to marry again, and the grant of the ward of his lands in Scotland, and the marriage of the heir. Her name was Katerina, but her surname has not been discovered.[1] He had issue at least one son:—

Robert, who succeeded him in Oxnam.

A William de Colville had, about 1358, from King David II. a charter of the half-lands of Whitsome.[2] It is probably he who, with *John*, his son, had a safe-conduct on 27 October 1365. He had also a similar permit on 5 December 1380 to travel to Rome and the Holy Land.[3]

Sir Robert de Colville of Oxnam succeeded in 1341, while still a minor. He had a yearly pension of 20 merks from King Edward III., granted 7 February 1358-59, which was renewed or continued by King Richard II. On the same day, as reward of faithful service, he had a grant of the lands of Swineshead or Swyneside, co. Roxburgh, and in 1362 a gift of wards. He was at that time deprived of his Scottish lands.[4] In 1383, however, his lands in England were forfeited, as he had become 'an adherent of the Scots.'[5] He petitioned the Scots Parliament that his lands of Ochiltree might be restored to him, which was discussed on 17 June 1385,[6] but the sequel is not on record, and on 8 December 1390 he witnessed, with his son Sir Thomas, a charter by John Turnbull of Minto, in favour of Sir William Stewart of Jedburgh.[7] The exact date of his death is not certain, but he was alive in 1397.

Sir Thomas de Colville, described as son of Robert de Colville, first appears, 15 August 1384, as witness to a charter by Margaret, Countess of Douglas and Mar, to Alexander Barclay.[8] He was also a witness with his father to the charter of 1390 already cited. On 12 June 1397, as

[1] *Cal. Docs. Scot.*, iii. No. 1352. [2] Robertson's *Index*. [3] *Rotuli Scotiæ*, i. 897; ii. 31. [4] *Cal. Docs. Scot.*, iv., Nos. 24, 28, 379; *Rotuli Scotiæ*, i. 834, 867. [5] *Rotuli Scotiæ*, ii. 60; *Cal. Docs. Scot.*, iv. No. 321. [6] *Acta Parl. Scot.*, i. 553. [7] *Reg. Mag. Sig.*, fol. ed., 190. [8] *Antiquities, Aberdeen*, etc., iv. 727.

son and heir of Sir Robert Colvil, lord of Oxinhame, he granted to Sir Henry Preston his share of the barony of Formartine, co. Aberdeen, with the castle and the tolls of the burgh of Fyvie. He died shortly before 4 February 1402-3, when his widow confirmed the grant.[1]

He married Margaret, eldest daughter of Sir James Lindsay, Lord of Crawford, by Margaret Keith. She survived him. They had issue:—

1. ROBERT, who succeeded.
2. *Sir Thomas Colville*, who appears as a witness to a charter of King James I. in 1429, and was also an attendant of Princess Margaret of Scotland on her voyage to France in 1436, may have been a son of Sir Thomas, but no certain evidence of the fact has been found.[2]

ROBERT DE COLVILLE, Lord of Oxnam, was in 1424 one of the hostages sent to England in exchange for King James I., and he remained there until 1432, when Sir Robert Stewart took his place.[3] In 1441 he had a charter of the lands of Barnwell and Symington, co. Ayr, which had belonged to his mother, and which he resigned to his son Robert.[4] He is said to have died about 1449. He married Margaret Colville, and had issue:—

1. ROBERT, who succeeded.
2. *Cuthbert* Colville, who is described in the *Exchequer Rolls* as born in England, of Scots parents, and who was banished from England for loyalty to Scotland, was not improbably a son of Robert Colville, but of this no evidence has been found. He had a yearly pension of £10 from the lands of Drumcross between the years 1465 and 1475, when he died, and his widow continued to receive it.[5]

SIR ROBERT COLVILLE of Oxnam had a charter of the lands of Barnwell and Symington on his father's resigna-

[1] *Collections*, etc., i. 501. [2] *Reg. Mag. Sig.*, 7 March 1538-39; Fordun à Goodall, ii. 485. [3] *Rotuli Scotiæ*, ii. 278. [4] *Reg. Mag. Sig.*, 26 May 1441. [5] *Exch. Rolls*, vii. and viii., per Indexes. Richard Colville, who made an attack on Sir James Auchinleck, and was slain, in revenge, by the Earl of Douglas in 1449, has been said to be the son of Robert, but there is no evidence of this. The historians do not state his relationship.

tion in 1441, and apparently granted the barony of Ochiltree to his son Robert.[1] He also in the same year granted lands within that barony to his mother for her life.[2] On 16 February 1450-51 he and his wife had a charter of the liferent of the barony of Ochiltree, the barony and lands of Hetoun and Maxtoun and barony of Oxnam.[3] He and Andrew Ker of Altonburn, a neighbouring proprietor, ancestor of the Kers of Cessford, entered on 10 June 1453 into a mutual bond of maintenance, against all others, the King and Earl of Douglas excepted.[4] The year of Sir Robert's death is not known, but he was dead and his widow had married again before 9 October 1466.[5]

He married, before February 1450-51, Christian Crichton, daughter of Sir Robert Crichton of Sanquhar, who survived him, marrying, before 9 October 1466, as his first wife, Alexander Erskine, afterwards third Lord Erskine. She died between November 1477 and March 1477-78, as appears from a statement by her husband.[6] Sir Robert had issue, so far as known, one son,

Sir Robert Colville, who in 1441 had a grant of the lands of Ochiltree on his father's resignation.[7] He succeeded to his father before October 1466, and held the rank of knighthood in 1467, when he brought an action against Archibald Rutherford for wrongfully occupying his lands of Maxton.[8] In 1478, he had a Crown charter confirming him in part of the lands of Ochiltree which had been occupied under a mortgage by Sir James Auchenleck.[9] He also was a member of Parliament between the years 1469 and 1481.[10] He died before 24 January 1488-89, leaving issue by his wife Eufame Wallace, who survived him:[11]—

1. Sir William, who succeeded.
2. *David*, who as 'natural and lawful' brother of the deceased Sir William brought an action before the Official of St. Andrews, impugning the legitimacy of his brother's daughter Elizabeth, but the Official

[1] *Reg. Mag. Sig.*, 26 May 1441. [2] *Ibid.*, 9 January 1450-51. [3] *Ibid.*, at date. [4] *Fourteenth Hist. MSS. Rep.*, App. iii. 9. [5] *Acta Auditorum*, 3. [6] *Ibid.*, 70. [7] *Reg. Mag. Sig.*, 26 May 1441. [8] *Acta Auditorum*, 3, 8. [9] *Reg. Mag. Sig.*, 9 March 1477-78. [10] *Acta Parl. Scot.*, ii. 93, 132. [11] *Acta Auditorum*, 126, 146.

pronounced in her favour.[1] As David brought this action, it is probable he was the second son and claimed rights of inheritance. He and his brother James kept the castle of Ochiltree by force from the widow and son of Robert Colville after Flodden, but were ordered to give it up in October 1513.[2]

3. *Philip*, designed brother-german of Sir William in a charter of date 23 August 1505.[3]
4. *James*, named as brother of Sir William in 1548. He had a son *William*, named along with him.[4]

Robert Colville of Hiltoun, the subject of a later notice and the undoubted ancestor of the present Viscount Culross, has been claimed as a son of Sir Robert, and half-brother to Sir William, but no evidence has been found of such close relationship, and certain facts render it probable that his connection with the family must begin further back.

Sir William Colville, styled of Ochiltree, succeeded his father before 17 February 1489-90, when as son and heir of the late Sir Robert he brought an action against Robert Crawford of Drongane for the sum of £200 Scots.[5] He was then a knight. In 1502, he had a narrow escape of his life, being beset at 'Horden' (a place not certainly identified) by the Douglases of Swyneside, who seem to have borne him a grudge.[6] In 1504 he had a Crown charter of the lands of Barnwell and Symington.[7] He was beset and slain by some neighbour lairds, George Haliburton and Mark Ker of Dolphingston, towards the end of 1508 or beginning of 1509, as his daughter Elizabeth is styled his executrix, in an action of date 9 February 1508-9.[8]

Sir William Colville was three times married, first, to Elizabeth, daughter of John, second Lord Kennedy, but the marriage was dissolved on the ground of consanguinity and affinity, some time before August 1498;[9] secondly, to

[1] *Liber Officialis S. Andreæ*, 40, MS. f. 180. [2] Records of Parliament, 529. [3] *Reg. Mag. Sig.*, 15 September 1505. [4] *Acta Dom. Conc. et Sess.*, xxv. f. 8. [5] *Acta Auditorum*, 140. [6] Pitcairn's *Criminal Trials*, i. 32*, 33*. [7] *Reg. Mag. Sig.* [8] Pitcairn, i. 65*, 68*; *Acta Dom. Conc.*, xx. f. 109. [9] *Acta Dom. Conc.*, xiii. ff. 19, 20.

Margaret Ker, relict of John Home of Ersiltoun;[1] and thirdly, to Elizabeth Crichton, widow of —— Campbell. Sir William's third wife survived him and was still alive in October 1539.[2]

Sir William had issue, so far as known, two daughters:—

1. *Elizabeth*, the issue of Elizabeth Kennedy, as her legitimacy was challenged by her uncle David on the ground that her parents were related in the fourth and fourth degrees of consanguinity and second and third degrees of affinity, but the Official of St. Andrews declared her to be lawfully born.[3] She was married to Robert Colville, son and apparent heir of William Colville of Ravenscraig. Very soon after her succession, she and her husband resigned her share of the baronies of Ochiltree and Oxnam, Heiton and Maxton, to Robert Colville of Hiltoun, the Director of Chancery.[4] She married, secondly, Patrick Colquhoun of Pemont and Drumskeath,[5] by whom she had issue, one daughter,

   Francesca, married, first, to Robert Colville of Cleish, natural son of Sir James Colville of East Wemyss. (*See below.*)

2. *Margaret*, perhaps by Margaret Ker, who made up her title to her share of her father's lands about 1511, and who disposed of her share (under the tutorship of Mr. Robert Colville, Director of Chancery) to Andrew Ker of Fernyhirst,[6] whom she is said to have married, but of this no evidence has been found.

ROBERT COLVILLE of Hiltoun, who is directly represented by the present Viscount Colville, has not been clearly ascertained to be the half-brother of Sir William Colville, as has been asserted. He and his son of the same name are confused and merged into one by Wood in his edition of Douglas's *Peerage*. It was the son who acquired part of Ochiltree and other lands belonging to the main line of the family, but the son was certainly not the nearest heir-

[1] *Acta Dom. Conc.*, xiii. f. 31. [2] Protocol Book of T. Kene in Advocates' Library. [3] *Liber Officialis S. Andreæ*, 40, MS. f. 180. [4] *Reg. Mag. Sig.*, 30 April 1509. [5] *Ibid.*, 8 Feb., 1531-32. [6] *Ibid.*, 31 December 1511.

male, as Wood states, for brothers-german of Sir William were then alive. Robert Colville is first found on record as the King's Chamberlain, rendering the accounts of Stirlingshire in 1471,[1] and as he must then have been a man of some experience, it is probable that he was a contemporary rather than a son of the last Sir Robert Colville.[2] This is corroborated by the fact that when on 10 October 1483 he received a charter of the lands of Hiltoun, he had already had them in liferent for nineteen years. In that year, and no doubt for some time previously, he was Steward to Queen Margaret of Denmark, wife of King James III. He was her house-steward and comptroller, and dealt with her expenses between 1484 and 1486.[3] He had a lease of Hiltoun about 1480 and 1481, but latterly held it in feu. It has been said that he was killed at Sauchieburn 11 June 1488, but there is clear evidence he survived that date, and died after January 1495-96, as he was tenant of Hiltoun at that date, but not much later.[4]

He married Margaret Logan, and had issue, so far as recorded, one son,

ROBERT.

ROBERT or MR. ROBERT COLVILLE of Hiltoun, who was appointed Director of Chancery on 17 June 1488,[5] an office he no doubt owed to his father's influence. He held a number of lands from the Crown in tenancy, as may be seen from the rentals,[6] which lands were afterwards contained in his barony of Tilliecultrie. On 13 March 1503-4 he had a charter to himself and his wife of the lands of Hiltoun in Clackmannan, which had belonged to his father, and on which both had bestowed much expense, and on 14 February 1504-5 he received the lands of Cleish in Fife.[7] In 1509 (10 and 30 April) he received from Elizabeth Colville of Ochiltree and her husband, her half of Ochiltree and Oxnam, but no relationship between the parties is stated in the charters, and he probably purchased the lands.[8] He sold

[1] *Exch. Rolls*, viii. 49, 51. [2] Were speculation admissible, it might be suggested that Robert was the son of Cuthbert, or more probably of the Sir Thomas of 1429 and 1436, but no evidence has been found to corroborate such a theory. [3] *Exch. Rolls*, ix. *per* Index. [4] *Ibid.*, vols. ix. and x. *per* Indexes; x. 758. [5] *Reg. Mag. Sig.*, at date. [6] *Exch. Rolls*, vol. xii. [7] *Reg. Mag. Sig.*, at dates. [8] *Ibid.*

Oxnam on 5 May to Andrew Ker of Fernyhirst, and is afterwards designed of Ochiltree. In 1511 he had a grant of the barony of Tillicultrie.[1] He was killed at Flodden 9 September 1513.

He married Elizabeth Arnot,[2] said to be daughter of Walter Arnot of Balbarton. She died before 31 January 1527-28.[3] Robert Colville had by his wife, so far as recorded, only one son:—

1. JAMES, who succeeded.

But he had three natural sons and a daughter:—

1. *William*, who appears to be the same William who is designed son of Robert Colville of Hiltoun, and joint tenant with him of various Crown holdings in 1505 and 1508.[4] In 1531 he is described as Canon of the Kirk heuch (St. Andrews). He was provided to the Abbacy of Culross 20 October 1531,[5] and bore the title of Commendator of Culross. He describes himself as such in writs granted by him between 1535 and 1565.[6] He is named among the dignified clergy who were present at the trial for heresy of Sir John Borthwick in May 1540. In 1542 he took an active part in moving Parliament to rescind the forfeiture of his brother Sir James and to restore his estates. In 1544 he was appointed a Lord of Session, and he also filled the office of Comptroller from 1546 to 1550. Later he joined the Reformers, was present when the Confession of Faith was ratified, and was one of those who signed the Book of Discipline.[7] He retained his Commendatorship of Culross until his death in February 1566-67. He married a lady named Eufame Dundas, apparently a sister of Archibald Dundas of Fingask,[8] who survived him. He had a daughter *Sara*, who survived her father only a few months, dying in July 1567. After their death, the Regent Moray, on 8 October 1567, granted the escheat of Colville's goods to his grandnieces Elizabeth and Eufame Colville, daughters of his nephew Robert

[1] *Reg. Mag. Sig.*, at dates. [2] *Ibid.*, 14 February 1504-5. [3] *Ibid.*, 19 March 1527-28. [4] *Exch. Rolls*, vols. xii. 581, xiii. 641. [5] *Maziere Brady*, i. 171. [6] *Laing Charters*, Nos. 390, 442, 456, 507, 607, 611, 782. [7] *Acta Parl. Scot.*, ii. 430-438; Knox, *History of the Reformation*, Laing's ed., ii. 598. [8] Cf. *Reg. Mag. Sig.*, 31 May 1565.

Colville of Cleish, on the ground that the Commendator was illegitimate and died intestate, and they enforced their claim against his widow.[1]

2. *John* Colville, the second natural son of Robert Colville, was provided also to the Abbacy of Culross on 28 February 1534-35, reserving William's liferent. He styled himself Abbot, and is found with his brother granting charters between 1540 and 1550. He died between that and 23 December 1552.[2]
3. *Robert*, who, on 28 February 1539-40, had a charter to himself and his wife from his brother Sir James of part of the lands of East Wemyss and Pitkany.[3] A few days before, on 20 February same year, he had the grant of a saltpan with its accompaniments in Culross from William, Commendator, and John Colville, Abbot, of Culross, who describe him as their 'brother-german.'[4] He married Margaret Scougall.
4. *Katherine*, described as sister of William Colville, Commendator of Culross, in a marriage-contract between her and her brother and George Home, elder of Spott, of date 26 February 1561-62, and in an obligation following on it, by George Home, younger of Spott, of date 12 May 1565.[5]

Sir James Colville of Ochiltree, afterwards of East Wemyss, is named, first, in 1505, as joint tenant with his father and mother of certain Crown lands in that year and 1508.[6] He and his mother were forcibly kept out of their castle of Ochiltree after Flodden by David and James Colville, brothers of the late Sir William, against whom royal letters were ordered to be directed on 26 September 1513, and on 20 October they obliged themselves to render the house to its owner.[7] He was appointed Director of Chancery before 31 October 1518, as he is so styled in a Crown

[1] *Reg. Sec. Sig.*, xxxvii. f. 8; and subsequent proceedings, *Acts and Decreets*, xlv. f. 158, xlvii. f. 230. There is therefore no doubt of his illegitimacy, and as he, John Colville, and Robert after-named describe themselves as brothers-german (*Laing Charters*, No. 442), they were apparently born of the same mother, and probably also the sister afterwards named. [2] *Laing Charters*, Nos. 442, 456, 507; Reg. Ho. Charters, Nos. 1488, 1572. [3] *Reg. Mag. Sig.*, 29 February 1539-40. [4] *Laing Charters*, No. 442. [5] *Reg. of Deeds*, v. f. 74; vii. f. 164. [6] *Exch. Rolls*, xii. 581; xiii. 641. [7] *Acta Dom. Concilii*, MS. xxvi. ff. 4, 8.

charter of that date.[1] In 1526 he was also appointed Comptroller, during the sway of the Earl of Angus, to whose party he seems to have attached himself, and he appears in that office before August of that year.[2] On 10 May 1527, his lands were secured to him in due form by a Parliamentary grant.[3] In the following year he founded a chaplainry on behalf of the late Robert Colville of Ochiltree, his father, the late Margaret Arnot, his mother, and the late Robert Colville, Margaret Logan, Walter Arnot, and Jonet Forret, doubtless his grandparents on both sides.[4] On 13 December 1530 he exchanged his barony of Ochiltree with Sir James Hamilton of Finnart for the Fifeshire barony of East Wemyss, a transaction confirmed by the Crown.[5] He was appointed one of the first judges of the newly constituted Court of Session in May 1532,[6] and he was created a knight between that and 20 August 1533.[7] He also took considerable part in public affairs, and his name occurs in connection with various important transactions in Parliament and elsewhere between 1524 and 1538. In the latter year he was deprived of his offices and accused of treason and malversation of his office. He submitted to the King's will 18 July 1539, and was at Culross in February following. He was ordered to ward himself in Blackness, but instead of doing so he fled to England and joined the Earl of Angus. For this he was declared guilty of treason, and his estates were forfeited on 14 March 1540-41, a few months after his death, which took place in England some time before 4 December 1540.[8] Sir James married, first, Alison Bruce, said to be a daughter of Sir David Bruce of Clackmannan. She and Sir James had a Crown charter of the mains of East Wemyss 20 August 1533.[9] He married, secondly (contract dated 21 May 1536), Margaret Forrester, sister of David Forrester of Garden, who survived him, but died before 16 May 1562.[10] His children were:—

[1] Original charter No. 873 in Gen. Reg. Ho.; same as *Reg. Mag. Sig.* at date, where witnesses are not detailed. [2] *Accounts of Lord High Treasurer*, v. 243. [3] *Acta Parl. Scot.*, ii. 320. [4] *Reg. Mag. Sig.*, 19 March 1527-28; cf. also 18 August 1527. [5] *Ibid.*, 19 December 1530; 3 January 1530-31. [6] *Acta Parl. Scot.*, ii. 335. [7] *Reg. Mag. Sig.*, at date. [8] *Acta Parl. Scot.*, ii. 353-355, 365, 368, 369; *Laing Charters*, No. 442. [9] *Reg. Mag. Sig.*, at date. [10] *Reg. of Deeds*, vi. f. 265.

1. JAMES, who succeeded.
2. *Mr. Alexander*, of the second marriage.[1] He was by the marriage-contract of his father and mother provided to an annual sum of £100 Scots, but on 16 May 1562 he renounced that arrangement, on being paid 1000 merks at certain specified terms.[2] He also appears as a witness to an obligation of date 12 May 1565, by George Home, younger of Spott, to Catherine Colville his father's wife.[3] (*See* p. 546 *supra*.) On 4 February 1566-67 he was provided under the inexact designation of 'the son of the late Sir James Colville, Knight,' to the Abbacy of Culross by a royal grant as successor to his uncle William,[4] and the appointment must have been made immediately upon William's demise. Shortly before January 1571-72, during Earl Mar's regency, he was appointed one of the Senators of the College of Justice, and he also, on 26 May following, became a Privy Councillor,[5] and continued in both offices almost to the end of his life. On 30 May 1586 he entered into a special contract with his nephew James, afterwards first Lord Colville, his eldest son James and three daughters, Margaret, Cicill, and Jean, objecting to certain entails made by them, barring his own lawful succession to the lands of East Wemyss and Tillicoultry as lawful heir of his father Sir James, grandfather of the first lord.[6] In May 1587 he resigned his place as senator in favour of his nephew Mr. John Colvill, but resumed office in the following

[1] Sir Robert Douglas, followed by Wood, omits Mr. Alexander in this generation and makes him the brother of the first Lord Colville. But dates rather forbid this, and in a contract of 1586 the Commendator declares himself the uncle of the first Lord, while he is also styled the uncle of Mr. John Colville, second son of Robert Colville, first of Cleish (*Reg. of Deeds*, xxvii. f. 250; Books of Sederunt, 21 June 1587), the natural son of Sir James. The petition of John, Lord Colville, claiming the title in May 1723, also stated that Alexander was the only brother of the first Lord Colville (*House of Lords Journals*, xxii. 215), but this is shown to be incorrect. [2] *Reg. of Deeds*, vi. f. 265. [3] *Deeds*, vii. f. 164, where Mr. Alexander is inadvertently styled 'brother' instead of 'brother's son' of William, Commendator of Culross. [4] *Reg. Sec. Sig.*, xxxv. f. 116. It is the inexact description in this writ which has caused confusion, as the 'late Sir James' referred to was not the Sir James who died about 1561, but his father, who died in 1540, as is clear from other evidence. [5] *P. C. Reg.*, ii. 114, 138. [6] *Reg. of Deeds*, xxvii. f. 250.

month. In September of the same year he gave up his rights over the property of the Abbacy, which King James afterwards conveyed to his nephew the first Lord Colville.[1] The Commendator died in 1597, having married Nicholas Dundas, daughter of Alexander Dundas of Fingask, by whom he had issue:—

(1) JOHN, who succeeded as titular Commendator of Culross.

(2) *James*, the second son, who on 4 November 1576, received from his father a pension out of the Abbey rents of £111, 4s. 6d. yearly for life, with four bolls of wheat yearly for his support and education.[2] On 11 October 1609, he had a charter of the lands of Nether Kinnedder, with a destination to his brother Mr. Alexander Colville.[3]

(3) *Robert*, who received on 1 November 1578, from his father, a yearly pension of £20 with five chalders of oats, for life.[4] He also had the lands of Nether Kinnedder. He became minister of Culross,[5] and continued there until his death. He married Katherine Melville and had issue a son, *Mr. Robert*,[6] who succeeded him in Kinnedder, and two daughters, *Jean*, married to Mr. John Duncan, his successor in Culross, and *Katherine*, married (contract 30 October 1637) to James Aitken, son of James Aitken of Middle Grange.[7]

(4) *Mr. Alexander*, described in 1600 as brother-german of John Colville, 'Abbot of Culross,'[8] and again in 1609 as brother of John and James. He is probably identical with the Mr. Alexander Colville, who became a Justiciar Depute, and acquired the estate of Blair. If so, he married Agnes Wardlaw,[9] and had issue.

(5) *Margaret*, described in her marriage-contract of 18 October 1606 as sister of James Colville, second son of the late Alexander, Commendator of Culross; married to Patrick Murray of Pardewis.[10]

(6) *Susanna*, daughter of the late Alexander, Commendator of Culross, contracted, on 12 September 1609, to John Monypenny, fiar of Pitmillie; he died in France 1 August 1617; Susanna Colville was his widow, and he left issue apparently by her;[11] but on 22 July 1620 she was again, simply as lawful daughter of the late Alexander, Commendator of Culross, contracted to David Preston of Whitehill, whom she married.[12]

(7) *Katherine*, who, as sister of James Colville, second son of the late Commendator, had, on 5 September 1612, sasine in liferent of fourteen chalders of victual from Halhill and

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[1] *Reg. Sec. Sig.*, lvi. f. 33. [2] *Ibid.*, xliii. f. 124. [3] Protocol Book of James Primrose, 69, 70. [4] *Reg. Sec. Sig.*, xlv. f. 89. [5] Scott's *Fasti*, pt. iv. 584. [6] *Perth Sasines*, xi. 19, 25. [7] *Regality of Dunfermline*, Hornings, iv. at end; *Gen. Reg. Sas.*, xlvii. f. 44; Jean Colville or Duncan died before 18 May 1676 (Dunblane Tests., 12 December 1678). [8] *Reg. Mag. Sig.*, 2 August 1611. [9] *Ibid.*, 22 June 1620. [10] *Reg. of Deeds*, ccxxxiv., 11 February 1615. [11] St. Andrews Tests. [12] *Reg. Mag. Sig.*, 2 February 1640; Protocol Book of James Primrose, 67, 173.

other lands as future spouse of James Melville, younger of Halhill.[1] She died on 10 June 1614, leaving issue a son, *James*, and a daughter, *Anna*.[2]

Douglas also assigns as daughters to the Commendator, *Grizel*, wife of John Preston of Valleyfield, and *Jean*, wife of Robert Bruce of Blairhall.

John Colville, the eldest son, succeeded his father as titular Commendator of Culross in May 1597. He is referred to, however, in 1580, in a grant from his father of two gardens and a house within the walls of the Abbey of Culross.[3] In 1587 he had a special grant from King James of the lands of Lurg and Kincardine in the lordship of Culross as a reward for resigning the Abbacy.[4] He became titular Commendator at his father's death, but resigned office in 1609, and later is designed of West Comrie, which had been secured to his mother in 1586, and of which he had a charter from Lord Colville in 1612.[5] He appears as an elder of Culross Kirk Session in 1631, and is said to have died between 1645 and 1650. He married Elizabeth Melville, daughter of Sir James Melville of Halhill, a lady remarkable for Christian excellence and intellectual endowments.

They had issue:—

i. Alexander, of whom below.

ii. *James*, often referred to by his mother in her letters. In 1641 he was sent to Hamburgh in regard to some legal business.[6]

iii. *Samuel*, educated at St. Andrews, where he also resided for some years prior to 1654. In that year the masters of the Old College (St. Salvator's) reported that they had 'oftymes bein much offended with his levitie, unsettlednes of spirit and his dissorderlie carriage toward his reverend brother' (Dr. Alexander Colville, *see below*), presenting railing libels against him, 'for which he hath bein diverse tymes gravely rebuiked.'[7] He wrote the 'Scots Hudibras,' or 'The Whig Supplication,' a poem published in London in 1710; also an essay on the claims of the Papacy styled the 'Grand Impostor Discovered,' published in Edinburgh 1673.

Alexander, who succeeded, was educated for the ministry, and was ordained a minister of the Scottish Church, but under the patronage of the Reformed Church of France, a country with which his family had close associations, he became Professor of Theology and Hebrew at the University of Sedan. In or before 1642 he was offered the appointment of Principal of the New College of St. Andrews (St. Mary's), with the Chair of Divinity there,[8] which he accepted, and came to Scotland with his family. He

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[1] *Reg. Mag. Sig.*, 104-106. [2] St. Andrews Tests., 19 August 1614. [3] *Reg. Sec. Sig.*, xlvii. f. 133. [4] *Ibid.*, lvi. f. 33. [5] *Acta Parl. Scot.*, vi. pt. i. 249, 250. [6] *Ibid.*, v. 386. [7] *Presbyteries of St. Andrews*, etc., Abbotsford Club, 66, 67. [8] *Acta Parl. Scot.*, vi. pt. i. 188.

was admitted Professor in 1642.[1] His father resigned West Comrie in his favour, and he had a Crown charter of it and other lands on 8 March 1642, and thereafter he is styled Mr. Alexander Colville of West Comrie.[2] He was also, about 1650, offered the post of Professor of Theology in Edinburgh University, but the General Assembly of the Church forbade his translation.[3] He was in 1662 again appointed Principal of St. Mary's, St. Andrews.[4] In 1663 he had a Parliamentary ratification of all his lands, which were secured to him on the ground that he had remained a loyal and peaceful subject during the troublous times preceding the Restoration. He is then described as a D.D.[5]

He died in January 1666,[6] without claiming or using the title of Lord Colville, although he was the third in succession,[7] failing lawful issue of the second Lord after the latter's death in 1654.

He married at Sedan a French lady named Anne le Blanc, who was still alive in 1671, and had issue :—

(i) John.
(ii) *Mr. Abraham*, Professor of Hebrew and Mathematics in the University of Sedan, named in his brother's confirmation as creditor for the sum of 2600 merks. He died before 29 January 1681,[8] when his inventory was made up on behalf of his sister Sarah.
(iii) *Sarah*, only executrix of her brother Mr Abraham.

John, son of the preceding, born in Sedan, educated at St. Andrews. He became a minister of the Church of Scotland; was for a time Regent in the Old College of St. Andrews; and was transferred to the parish of Midcalder in 1663.[9] In 1665 his father disponed the lands of Lurg and Kincardine to him, in connection with his marriage.[10] He made his will at Calder on 1 March 1670, and died between that date and June 1671, when his will was confirmed. His debts exceeded his goods by the sum of £1311 Scots. His library and books were valued at 2600 merks; his furniture, etc., at £200 Scots. He placed his children under the charge of

[1] *Synod of Fife*, Abbotsford Club, 214. [2] *Acta Parl. Scot.*, 249, 250. [3] Sir Alexander Grant's *Story of the University of Edinburgh*, ii. 281. [4] *Synod of Fife*, Abbotsford Club, 214. [5] *Acta Parl. Scot.*, vii. 473. [6] Lamont's *Diary*, 184. [7] Douglas (1764) and Wood make him fourth Lord, a discrepancy due to their misdating the death of the second Lord Colville, and making John Colville of West Comrie succeed as *de jure* third Lord. [8] Edin. Tests., 17 June 1671, and 29 January 1681. [9] Scott's *Fasti*, i. 175. [10] *Reg. of Deeds* (Mack.), 19 January 1709, which proves that Mary Preston's father was Sir George.

his mother and of his wife.[1] He married (contract 20 October and 4 November 1665) Mary, third daughter of Sir George Preston of Valleyfield,[2] by whom he had issue:—

a. ALEXANDER, *de jure* fifth Lord Colville.
b. *George*, styled second son in his father's will, who left to him his library and books, and he was also to have the reversion of his sisters' portions if they died without issue.
c. *Marion*, eldest daughter, to whom her father left 3000 merks.
d. *Anna*, second daughter, who had a similar sum.

3. *Alison*, by first marriage, who is named in the proceedings of 14 March 1540, but apparently died young, as no further mention of her is found.
4. *Margaret*, by second wife. Married on 7 March 1553-54 to William Menteith of Randyford, her tocher of 1000 merks being paid by her uncle William, Commendator of Culross, acting for her nephew Sir James, in May 1563.[3] She was a widow before 18 July 1571, when she was contracted, if not married, to Patrick Home, son of the late George Home of Lundeis and Margaret Erskine; and on 14 May 1576 her husband was James Cunningham, brother-german of John Cunningham of Drumquhassell.[4]

Sir James Colville had also two illegitimate sons:—

1. ROBERT COLVILLE of Cleish, from whom the Lords Colville of Ochiltree descended. (*See that title.*)
2. *James*, who in 1565 received the lands of Crombie, part of the Abbey domains, from his uncle William, Commendator of Culross.[5]

SIR JAMES COLVILLE, second of Easter Wemyss, was only eight years of age at his father's death, when he was summoned with his stepmother and the other members of the family to hear doom pronounced upon his father. That was on 9 March 1540-41, but on 10 December 1543, a year after the death of King James V., his estates and goods were restored to him by Parliament, under the influence of Cardinal Beaton and his own uncle William, Commendator

[1] Edin. Tests., lxxiv. 17 June 1671. [2] *Reg. of Deeds, ut cit.* [3] *Ibid.*, vi. 284. [4] *Ibid.*, xv. 117. [5] *Reg. Mag. Sig.*, 31 May 1565.

of Culross. He is said to have engaged in military service at an early age, and to have been knighted during the war with England in 1547, but on 2 March 1547-48, when he had sasine of Tillicoultrie, he is described simply as James Colville. He was, however, Sir James Colville, Knight, before 16 October 1553, when he obtained full possession of East Wemyss.[1]

He died before 16 May 1562,[2] having married Janet, daughter of Sir Robert Douglas of Lochleven, and Margaret Erskine.[3] He left issue only one son,

JAMES.

I. SIR JAMES COLVILLE, third of East Wemyss, is said to have been born about the year 1550-51, and he was still under age in August 1570, when he was affianced to his first wife, Isabel Ruthven, his curators then being William Douglas of Lochleven, his mother's brother, and Robert Colville of Cleish, his cousin. The Earl of Moray, afterwards Regent, being his uncle on the mother's side, interested himself in young Colville, and took him to France in his train in 1567. He remained in that country, joining the Huguenots, and serving under the King of Navarre, afterwards Henry IV. of France. He returned to Scotland in 1570, where he married. He joined the King's party in the Civil War in Scotland, and in September 1571 aided in defending the Castle of Stirling[4] when the Queen's party attacked the Regent Lennox, who was killed in the conflict. Later he returned to France, where he remained in the service of Navarre until 25 July 1582, when he came back to Scotland in the company of Francis Stewart, Earl of Bothwell, bearing letters from the King of Navarre and the Prince of Condé to King James VI.[5] A month later he took part in the 'Ruthven Raid,' the Earl of Gowrie being his brother-in-law, and in 1583, when the King escaped from his captors, Sir James was one of those whose estates were forfeited. He again went to France, but on 13 September 1583 he received a remission for his share in

[1] *Exch. Rolls*, xviii. 426, 560. [2] *Reg. of Deeds*, vi. 265. [3] Fraser's *Memorials of Wemyss*, i. 225; ii. 292, 293. [4] *Acta Parl. Scot.* [5] Calderwood's *History*, iii. 634. A letter from the King of Navarre writing of Colville in highly commendatory terms, undated, and which may belong to this period, is printed in Fraser's *Earls of Haddington*, ii. 42-43.

the plot,[1] and apparently then returned to Scotland. It is not clear, however, if he at once received back his lands, for he seems to have contemplated once more going to France or elsewhere out of Scotland. This appears from a contract of 30 May 1586, between him, his eldest son James, and his three elder daughters, Margaret, Cicill, and Jean on one part, and his uncle Alexander, Commendator of Culross, on the other, narrating that he in his minority had been wrongly persuaded to grant tailzies of Easter Wemyss and Tillicoultrie to the late Robert Colville of Cleish, natural son of the late Sir James Colville, who had first acquired these properties. It is further narrated that this had been done to the prejudice of the Commendator, who was the lawful son of the said late Sir James, and his heirs, who were the lawful heirs-male, and as such were the proper inheritors of the lands, they being Crown feus. In consequence of these wrongful entails, and because James Colville was at the date again proposing to leave the country, he and his son bind themselves that if they die without lawful heirs-male of their bodies, East Wemyss and Tillicoultrie shall be entailed on their nearest heirs-male, whom failing, to Robert Colville of Cleish, 'son and oy' to the late Robert Colville, son natural of the late Sir James, and they offer, when required, to resign the lands so that the entails may be altered, that the lands may remain with the name and surname of Colville, and the charters granted to the heirs-male of their own bodies, whom failing, to their nearest heirs-male and then to Robert Colville as above. In return for this the Commendator binds himself, if the succession devolve on his person as nearest and lawful heir-male, to pay to Margaret, the eldest daughter £4000 Scots, and to the two others £3000 each—£10,000 Scots in all.[2] Colville's desire of service turned to England, as a few months after the above contract, on 20 August 1586, he wrote to Secretary Walsingham, telling him he had been in the service of the King of Navarre, but that the Master of Gray had suggested

[1] *Reg. Mag. Sig.*, xlix. f. 166. [2] *Reg. of Deeds*, xxvii. f. 250. This important contract was recorded in the Books of Council and Session on 1 June 1588, two years after its execution, at the instance of the Commendator, the other parties not appearing to show cause why it should not be registered.

Queen Elizabeth as a patron. He expressed his wish to enter her service.[1] This proposal, however, came to nothing and, doubtless through the good offices of his uncle Alexander, James Colvill was taken into the favour of King James VI., who on 9 December 1586, appointed him ambassador to France, and ordered him £2000 Scots for expenses. If he did go to France he returned before 23 May 1587, when he was a cautioner on behalf of the Master of Gray.[2] About September 1587, his uncle resigned the abbacy of Culross into the King's hands, and on 20 June 1589, the property of the abbacy of Culross was erected into a temporal lordship to be held to him and the lawful heirs of his body, whom failing, to his lawful and nearest heirs-male whomsoever. The reason given for the grant is consideration of Colville's services at home during the King's infancy and also those rendered abroad.[3]

In the same year, his former chief, the King of Navarre, became nominally King of France, and Colville was sent to aid his pretensions to the throne. He landed at Dieppe shortly before the battle of Arques in September 1589, fought at Ivry, and took part in the siege of Rouen.[4] He remained four years in France, and was, in 1592, made Governor of St. Valery.[5] In 1594 he was recalled to Scotland, and was sent as envoy to King Henry IV. of France and also to Queen Elizabeth, to announce the birth and bear invitations to the baptism of Prince Henry of Scotland. For his expenses he was paid 2000 crowns or £6000 Scots.[6] He was again appointed ambassador to France on 2 January 1597-98, receiving £1000 Scots for his pains.[7] He seems to have returned to Scotland by 28 February 1598-99,[8] although this is not certain, as on 1 August 1599 he was granted protection from his creditors in Scotland because the King of France had promised to pay all his debts within a year, and also at the special request of the French ambassador in Scotland.[9]

[1] Thorpe's *Cal. State Papers*, i. 532. [2] *P. C. Reg.*, iv. 127, 173. It is possible that the proposed embassy was in answer to a letter of uncertain date (*Haddington Book*, ii. 40) from the King of Navarre desiring that the 'Sieur de Wemes' might be sent to him. He did go, and fought at the battle of Coutras in October 1587. [3] *Reg. Mag. Sig.*, at date. [4] *Scots Guards in France*, i. 107, 108. [5] Michel, *Les Ecossais en France*. [6] Account of Collection of Taxation, 1593-94, Gen. Reg. Ho. [7] *Ibid.*, 1597, December, Gen. Reg. Ho. [8] *P. C. Reg.*, v. 431, 716. [9] *Ibid.*, vi. 19.

On 10 March 1604, he had a charter in consideration of his services as ambassador to England and to France, where he is said to have remained five years at his own charges, granting the whole lands of the Abbacy of Culross, with all annualrents and other property to himself, described as Sir James Colville of East Wemyss, Knight, and the lawful heirs-male of his body, whom failing, to his heirs-male whomsoever, conferring also on them the style and title of a Lord of Parliament to be called Lords of Culross, and he completed his title by precept and infeftment.[1] Calderwood chronicles the fact that he was made LORD COLVILLE in the Parliament of 26 April 1604.[2] By the decreet of ranking of 5 March 1606 he is styled James, Lord Colville of Culross, and ranked last but one of the Barons.[3] Yet on 20 January 1609, he received a charter as Sir James Colville of East Wemyss, Knight, granting him the same lands, with the same title and same destination.[4] It is of some importance in this connection that when the House of Lords in 1723 restored the dormant title of Lord Colville of Culross, it was ordered to be inscribed on the roll of Peers 'according to the date of the patent creating Sir James Colville a Peer on 20 January 1609.'[5]

Lord Colville had other missions to France, one in 1611 to inquire into the affairs of the ancient Scottish Archer Guard of France, who were complaining of the decay of their privileges at the Court of Louis XIII., but he was unsuccessful.[6] Further attempts on behalf of the Guard were made in 1618.[7] The veteran made one more attempt in 1623 to restore the Scottish Guard, and apparently with some success.[8] He died in September 1629, having, according to tradition, while in the act of 'fighting his battles o'er again,' overbalanced himself and fallen down a terrace in his garden at Tillicoultry.[9] Lord Colville was twice married: first, about 22 August 1570, to Isabel, daughter

[1] Protocol Book of James Primrose, Gen. Reg. Ho., 35-37, where the charter, which is not in the Great Seal Register, is narrated in the Precept of Sasines. [2] Calderwood's *History*, vi. 262. [3] Herries Peerage Evidence, 162-165. [4] *Reg. Mag. Sig.*, at date. [5] *House of Lords Journals*, xxii. [6] *Scots Guards in France*; and *Scottish Archer Guard in France*, Maitland Club. [7] *See* Papers and Letters, *Haddington Book*, ii. 220-222. [8] *Scots Guards in France*, i. 114, 115. [9] Old *Statistical Account*, Tillicoultry; Dunblane Tests., 19 January 1630.

of Patrick, Lord Ruthven;[1] secondly, before May 1599, to Helen Schaw, widow of Robert Mowbray, younger of Barnbougle.[2] She survived Lord Colville.[3]

His issue were:—

1. *James*, who is named as heir in 1586, and was contracted, 6 May 1594, to Elizabeth, daughter of David Wemyss of that Ilk, but who died before 26 September 1595,[4] predeceasing his father, without issue.
2. ROBERT, Master of Colville, not named in 1586, but in a charter by his father on 9 June 1597, is called lawful son and apparent heir.[5] Little is recorded of him, except an occasional reference in a charter. He died, in the lifetime of his father, between 1610 and 14 December 1614, as he is referred to as dead in a Crown charter of that date.[6] He married, after 24 September 1603, Christian,[7] eldest lawful daughter of George Bruce of Carnock.[8] She survived him, and was alive in 1630.[9]

   The Master had issue, so far as known:—

   (1) JAMES, who became second Lord Colville.
   (2) *Thomas*, named in the confirmation of his father's estate as youngest son, and appointed executor on 9 March 1619.[10]
3. *Margaret*, described in the contract of 30 May 1586, already cited, as eldest daughter. She and her two next sisters were by first marriage.
4. *Cicill*, second daughter in 1586; married to Laurence Merser of Meikleour.[11]
5. *Jean*, third daughter in 1586; married (contract 21 and 23 June 1595) to James Campbell, younger of Lawers,[12] afterwards Sir James, and had issue.
6. *Helen*, daughter by second marriage.[13]

II. JAMES, second Lord Colville, eldest son of Robert,

[1] *Reg. Mag. Sig.*, 24 November 1571. [2] *P. C. Reg.*, v. 716. [3] *Laing Charters*, No. 2060. [4] *Reg. Sec. Sig.*, lxvii. f. 219. [5] *Reg. Mag. Sig.*, 19 December 1598; in Fraser's *Memorials of Wemyss*, i., he is said to be named in a contract of 9 June 1587. Perhaps he was born in that year. [6] *Reg. Mag. Sig.* [7] She is named 'Marion Bruce' in his testament-dative (Dunblane Tests., 9 March 1619), but there is abundant evidence that her name was Christian. [8] Protocol Book of James Primrose, ff. 32, 33. [9] *Reg. Mag. Sig.*, 9 August 1630; *Laing Charters*, No. 2060. [10] Dunblane Tests., at date. [11] Cf. *Reg. Mag. Sig.*, 19 July 1625. [12] *Ibid.*, 19 September 1616. [13] Fife Sasines, ii. 168 (1620).

Master of Colville, and Christina Bruce, was born in 1604, and he had the peculiar distinction, while only three years old, of being the subject of a great legal debate in which the famous Lord Bacon figured prominently.[1] The question was that of the naturalisation of Scots born after the King's accession. To test the point a grant of some land was made to Lord Colville's grandson, and it was arranged that his right should be contested on the ground that he was an alien. The case came up for final decision in 1608 before Lord Chancellor Ellesmere and the other English judges. The result of the trial, mainly helped by Lord Bacon's speech, was that a judgment was given in favour of young Colville, declaring him, and so all other Scots born after the King's accession, to be *ipso jure* by the law of England a natural born subject, to purchase freehold and bring real actions within England.[2] On 9 October 1617, James, Master of Colville, as son and heir of his deceased father, Robert, Master of Colville, had a Crown charter of the lands of the abbacy of Culross, and also of the baronies of East Wemyss and Tillicoultrie.[3] He succeeded his grandfather in September 1629, and soon after disposed of his estate of East Wemyss, which had always been much burdened, to John, Lord Wemyss, afterwards first Earl of Wemyss, for 92,000 merks.[4] He also, about the same time or before 1634, sold Tillicoultrie to William Alexander, Earl of Stirling,[5] and it seems probable that he sold Culross, though there is no clear evidence as to when he parted with it. Perhaps the sale was gradual.

About 1640 Lord Colville went to Ireland, where he took up his residence. He served with distinction there under Cromwell in 1649, and received a grant of the lands of Bally M'Laughlin, co. Kilkenny. He died in 1654, and was buried in the vaults of Trinity Church, Dublin.[6] He married, first, about 13 June 1622, when he was still under age, Magdalen Young, daughter of Sir Peter Young of Seton,

[1] *P. C. Reg.*, 558 *n*, 1697-09. [2] Bacon's Works, ed. 1826, v. 106 *n*; *P. C. Reg.*, viii. 558 *n*. [3] *Reg. Mag. Sig.*, at date; Primrose, 138-142. [4] *Memorials of the Family of Wemyss*, i. 223-225; *Reg. Mag. Sig.*, 9 August 1630. [5] *Ibid.*, 12 July 1634. [6] In the petition by John, Lord Colville (25 May 1723) for restitution of the title, James, second Lord Colville, is said to have died 'leaving no male issue behind him' (*House of Lords Journals*, xxii. 215).

Knight.[1] By her, who died in Edinburgh, and was buried there on 28 October 1638, he had apparently no issue. He had issue, not given by Douglas, apparently by another wife, whose name has not been ascertained. He also married, shortly before his death, Margaret Clyntoun, who survived him, marrying, secondly, John Arthur (who was living 13 February 1663), and, thirdly, Nicholas Hooper. Her will was dated 11 August 1686, and she died in that year, and was buried in St. Ibereus Church, Wexford.[2] His issue were:—

1. WILLIAM.
2. JOHN.
3. *Marjorie*, married to Isaac Dobson.

III. WILLIAM, who is styled Lord Colville in 1655, when he had a grant of his late father's lands in co. Kilkenny. He died in 1656, unmarried, and was succeeded by

IV. JOHN, his sole brother and heir, who was a minor at his succession and was still under age in 1663. He also assumed the title of Lord Colville, and was alive in 1678. He probably died without issue. The legitimacy of these sons has been impugned, but the evidence is not sufficient to warrant this view, and they were accepted as Lords Colville by their contemporaries.

V. ALEXANDER, *de jure* fifth Lord Colville, called Alexander Colville of Kincardine (page 552, *supra*) was probably born in 1666. He seems to have lived a retired life, and did not assume the title, not improbably because the estates which had belonged to his family were no longer in their possession. He died on 9 August 1717, and was then 'Collector at the port of Dundee, within the parish of Ferry-Port-on-Craig,' in Fife. He married (contract dated April 1687) Mary, daughter of Sir Charles Erskine, Bart., of Cambo, who survived him, and gave up an inventory of his estate, amounting to £4754 Scots.[3]

1 *Gen. Reg. Sas.*, 1st ser. xi. 18. 2 For this and other information about the second Lord Colville and his family the writer is indebted to *The Ancestry of Lord Colville of Culross*, by Georgiana M. Colville, London, 1887. For the later members of the family, where no reference is given, that is also the authority. 3 St. Andrews Tests., xviii. 20 June 1722.

1. JOHN, who succeeded.
2. *Charles*, born in 1691, who entered the Army, beginning as a gentleman-cadet in the 26th Cameronian Regiment. He fought at Malplaquet in 1709, and thereafter saw much service, at Preston in 1715, Gibralter in 1727, at Dettingen and Fontenoy, and Culloden. After that he was again on foreign service in Flanders until the peace of Aix-la-Chapelle in 1748. He became a lieutenant-colonel in 1755, and lieutenant-general in 1770, dying in Edinburgh 29 August 1775, unmarried, in his eighty-fifth year.
3. *Alexander*, born in 1693, who entered the Navy in 1710. In 1729 he retired, being appointed Collector of Customs at Dundee until 1735, when he was transferred to Inverness, where he died 20 April 1765, aged seventy-two, unmarried.
4. *George*, who became a physician at Dundee, where he died, unmarried, in November 1756.
5. *William*, who died in childhood.
6. *Margaret*, eldest daughter, married to Alexander Blair. She died in London, 1794, leaving issue.
7. *Isabel*, married (16 December 1768) to Mr. George Johnston, minister of Monikie, without issue.
8, 9, 10, 11. *Penelope*, *Mary* (died at Edinburgh 25 October 1770), *Anne*, and *Catherine*, who all died unmarried.

VI. JOHN, sixth Lord Colville, was born in 1689, and in due time entered the Army, serving as an ensign in the Cameronian Regiment at the battle of Malplaquet. He was also at the siege of Mons. In 1715 he aided in the suppression of the Jacobite insurrection. He resolved to assert his claim to the family title, and having procured himself served heir to James, second Lord Colvill, on 3 April 1722,[1] he appeared at the general election of Scottish Representative Peers on 21 of same month, requesting that his name be added to the roll of Peers. This was refused, as the title had not been in the Rolls of Parliament at the time of the Union of 1707, and the clerks did not conceive themselves empowered to add the name to the Roll.[2] He then presented a petition to King George I.,

[1] Services of Heirs, at date. [2] Robertson's *Peerage Proceedings*, 122.

which was brought before the House of Lords 25 May 1723, setting forth that the Abbacy of Culross was, on 20 January 1609, erected into a temporal lordship in favour of Sir James Colvill of Easter Wemyss, who was created a Peer, with destination to the heirs-male of his body; whom failing, to his heirs-male whatsoever. That James, first Lord Colville, was succeeded by his grandson James, the second Lord, who died 'about fifty years ago, leaving no male issue behind him,' and therefore the title, by the limitations in the patent, descended to the heirs-male of Alexander Colville, only brother of the first Lord Colville,[1] whose lineal descendant and heir-male the petitioner was. He therefore claimed to be enrolled among the Peers of Scotland.[2] The Committee of Privileges, to whom the petition was referred, reported on 27 May 1723 that they had perused 'the record of a patent granted by King James the Sixth,' of date 20 January 1609, creating Sir James Colville a Peer, the dignity to descend to his heirs-male whatsoever; and in terms of that and other writings produced, they found the petitioner entitled to the 'honour and dignity of LORD COLVILLE OF CULROSS in Scotland'; upon which the House ordered Lord Colville's name to be placed on the Roll of Peers according to the date of the patent.[3] This was done, and Lord Colville voted at the next election on 13 June 1723.[4] In 1727 he was at Gibraltar with his regiment, the 26th, when that place was besieged by the Spaniards; and in 1739 he was made lieut.-colonel, and commanded a battalion in America. He was present at the siege of Carthagena, and was seized with fever on board a transport in the harbour. Of this disease he died 20 April 1741, in the fifty-third year of his age. He married, in 1716, Elizabeth Johnston, an Irish lady, who survived him, dying at Dundee 3 March 1747-48, aged 47. They had issue, surviving infancy:—

1. ALEXANDER, afterwards seventh Lord.

[1] This statement is erroneous, as already shown, but the other facts are correct, and the right of succession remains the same, as the Commendator was the only brother of the first Lord's father. [2] *Peerage Proceedings*, 112, 113; *House of Lords Journals*, xxii. 215. [3] *Peerage Proceedings*, 115; *House of Lords Journals*, 217. As appears from the notice of the first Lord, this was not the earliest 'Patent,' but apparently the Charter of 1604 was not produced, and it is not on record. [4] *Peerage Proceedings*, 117.

2. *Charles*, who died very young.
3. *George*, born 1720, who entered the Army, and was appointed lieutenant in Colonel Gooch's Regiment, in which his father commanded a battalion, and accompanied the troops to America, where he died of fever at New York in 1739.
4. JOHN, afterwards eighth Lord Colville.
5. *Charles*, born 21 April 1726. He had a commission in the 21st N.B. Fusiliers, where his uncle, Major Charles Colville, and his own brother John, were serving. He passed through a varied military career, seeing much service; attained the rank of captain; and died at Newcastle, while marching with his regiment to Scotland, on 15 March 1763, aged thirty-seven, unmarried.
6. *James*, born 1734, who entered the Navy at a very early age, and saw much service in India. He was made a commander in 1758, and captain in 1759, his ship being the *Newcastle*. He was in command of the *Sunderland*, 60 guns, which unhappily foundered in a storm off Pondicherry on 21 January 1761, and Captain Colville perished with his crew. He was aged twenty-seven, and unmarried.
7. *Margaret*, married to Captain Paul Castlemaine, younger of Horsley, in Gloucestershire, and had issue.
8. *Mary*, who died an infant, 4 April 1731.
9. *Elizabeth*, married to Robert Petrie, and had issue.

VII. ALEXANDER, seventh Lord Colville, was born on 28 February 1717. He entered the Navy, and after eight years' service was appointed lieutenant in 1739. He was at the siege of Carthagena, and attended his father at the latter's death, after which he returned to England. He was made captain in 1744, with the command of the *Leopard* (50 guns), and continued, with slight intermission, in constant service in various ships. He was engaged in the ineffectual expedition against Louisberg in 1757, and was made Commodore on the Halifax station, Nova Scotia. In July 1758 he took part in the capture of Louisberg. In 1760 he relieved Quebec, then besieged by the French, and

two years later he drove the French out of Newfoundland. He was then promoted to the rank of Rear-Admiral of the White on 21 October 1762. His services on the Halifax station gave so much satisfaction to King George III. that he received a special re-appointment to that neighbourhood, where he completed the naval arsenal. In 1766 he retired, after a service of thirty-five years. He attained the rank of Vice-Admiral in 1769, and died at Drumsheugh, near Edinburgh, on 21 May 1770. He married, 1 October 1768, Elizabeth, daughter of Alexander, fifth Earl of Kellie, and widow of Walter Macfarlane of Macfarlane, the well-known antiquary. She died at Drumsheugh, 2 November 1794, aged fifty-nine. Having died without issue, he was succeeded by his brother—

VIII. JOHN, eighth Lord Colville, born at Dundee 24 January 1724-25. He entered the Army in 1741, and was one of a convoy ordered to Carthagena, but was too late to take part in the expedition, or to see his father alive. In 1744 he received a commission in the 21st R.N. Fusiliers, and fought at Fontenoy and at the siege of Ostend. He was present at Culloden in 1746. In 1751 he was at Gibraltar, and was made captain in 1754. He retired from the Army after the peace with France in 1763, and shortly afterwards was appointed Inspector-General of the Outposts in Scotland. In 1770 he succeeded his brother in the title. He resided in his later years near Bath, and died there on 8 March 1811, aged eighty-seven, being buried in the Abbey. He married, 18 July 1758, while in Gibraltar, Amelia Webber, who died at Stoke House, near Bath, 5 August 1788, and was buried in Walcot Church, Bath. He had issue:—

1. *Charles*, born in April 1759; died an infant.
2. *Alexander*, born in 1761; died an infant.
3. *James John*, Master of Colville, born in London 10 August 1763; he entered the Navy in 1779, but after some years' service fell into bad health, and died at his father's house, near Bath, 18 February 1786, aged twenty-two, and unmarried.
4. JOHN, who succeeded as ninth Lord Colville.
5. *Alexander*, born 1769; died an infant.

6. *Sir Charles* (G.C.B., G.C.H., K.T.S.), born 7 August 1770, at an early age became an ensign in the 28th Foot. In 1791 he was a captain in the 13th Foot, and served in the West Indies, where he was wounded at Cape Tiburon, St. Domingo. He returned to England with the skeleton of his regiment after the West Indian Islands had been taken from the French in 1795, and received the rank of major. The following year he became lieutenant-colonel of his regiment, and served in the Irish rebellion. In 1801 he was in Egypt and at the siege of Alexandria. In 1808 he went to Bermuda, where he was appointed brigadier, and later became Interim-Governor and Commander-in-chief at Grenada, West Indies. In 1810 he obtained the rank of major-general, and was appointed to a brigade in the army of Portugal, and continued to serve with great distinction in the Peninsula and south of France until the end of the war in 1814. He gained special notice at El Bodon on 25 September 1811, where he handled his troops under a most determined attack by a superior French force, in such a manner as to call forth the Duke of Wellington's encomium on himself and commendations for his troops. At Badajos also he distinguished himself, and again at the battle of Vittoria. In 1815 he also served with honour, having local rank as lieutenant-general. In 1819 he was made Commander-in-chief at Bombay, where he brought the military system of that Presidency to a very high degree of efficiency. He left Bombay in 1825, and in 1828 became Governor of Mauritius, where he secured the respect and affection of all classes. He died at Rosslyn, Hampstead, 27 March 1843. Sir Charles married, 16 February 1818, Jane, daughter of William Mure of Caldwell, co. Renfrew, who survived him just two months, dying 27 May 1843. They had issue:—

(1) Charles John, of whom after, as tenth Lord Colville.
(2) *Sir William James*, K.C.V.O., C.B., born 9 March 1827, and entered the army in 1843. He served in the Rifle Brigade in Canada, and also throughout the Crimean War. He was

present at the battle of the Alma and the siege of Sevastopol, and acted as aide-de-camp to General Sir James Simpson while Commander-in-chief. He retired as colonel in 1872. He also held office in the households of the late Duke of Saxe-Coburg and Gotha, and was Master of Ceremonies to H. M. 1894-1903. He died on 16 October 1903. He married 20 January 1857, Georgiana, second daughter of Evan Baillie of Dochfour. They had issue:—

i. *Arthur Edward William*, C.B., born 27 November 1857. Lieutenant-colonel Rifle Brigade, the Prince Consort's Own, served in Afghanistan 1879, and frontier campaigns 1881. Was in South Africa 1899-1900 and 1902. Married, 6 November 1883, Olivia, second daughter of Lord Alfred Spencer Churchill, second son of the sixth Duke of Marlborough, and has issue:—

(i) *Robert Alfred*, born 15 February 1888.

ii. *Mary Catherine*, born 4 November 1859; married, 19 April 1899, to Sir John Winfield Bonsor, P.C., Chief-Justice of Ceylon.

(3) *Francis Frederick*, born and died July 1832.

(4) *Anne Amelia*, born 7 December 1819; married, 29 July 1839, to Francis Jack, Viscount Newry and Morne, son of the second Earl of Kilmorey. Her husband died *v. p.* 6 May 1851, and she died 6 January 1900, leaving issue.

(5) *Catherine Dorothea*, born 11 January 1822; married, 2 October 1861, to Sir John Simeon, Bart., who died 21 May 1870, and has issue.

(6) *Georgiana Clementina*, born 10 August 1828; married, 13 July 1865, to Joseph Ridgway of Fairlawn, Sevenoaks, Kent. She died 18 March 1871.

7. *George*, born in Edinburgh 11 August 1771. He had a commission in the 41st regiment, and was present at the siege of Fort Bourbon and saw other service under Sir Charles Grey 16 March 1794. He died a few months afterwards of fever at St. Domingo, aged twenty-three, unmarried.

8. *Isabella*, died young. 9. *Elizabeth*, died an infant.

10. *Anne*, married, 19 April 1802, to James Forsyth, captain in the 1st Regiment of Dragoon Guards.

11. *Catherine*, married, 14 June 1792, to the Rev. Roger Frankland, rector of Yarlington and canon of Wells, who died 25 March 1826, and had issue. She died at Clifton 19 September 1843, aged seventy-one, and was buried in Bath Abbey.

John, ninth Lord Colville, the fourth in order of birth, but eldest surviving son of his father the eighth Lord, was born 15 March 1768, and entered the Navy in 1780. His

ship joined the fleet under Admiral Sir George Rodney on the West India station, and he was present at the famous engagement in which the Comte de Grasse was defeated. In 1796 he became post-captain and served in command of various ships between that date and 1807, when he took part in the expedition against Copenhagen. He became Admiral of the White in 1847. He was one of the Representative Peers of Scotland, and an extra Lord of the Bedchamber to Prince Albert. He died 22 December 1849. Lord Colville married, first, on 14 October 1790, at Welford, co. Stafford, Elizabeth, daughter of Francis Ford of the Lea, Barbados, by Elizabeth, daughter of John Hothersall, and by her, who died 19 August 1839, had only one child, a daughter, who died in infancy. He married, secondly, 15 October 1841, at St. Marylebone, Anne, sister of Edward Law, first Earl of Ellenborough, but by her, who survived him, and died 30 May 1852, in Upper Brook Street, had no issue. He was succeeded in his title by his nephew, the eldest son of his younger brother Sir Charles, already referred to.

X. Charles John, tenth Lord Colville, was born in Edinburgh 23 November 1818. He entered the Army and was a captain in the 11th Hussars. He succeeded his uncle on 22 December 1849. He was Chief Equerry and Clerk-Marshal to Queen Victoria, February to December 1852, and from March 1858 to June 1859; Master of the Buckhounds 1866-68, and Lord Chamberlain to H. M. Queen Alexandra 1873 to 1903; a Representative Peer of Scotland, 1852-85; K.T. 12 December 1874. He was created a Peer of the United Kingdom on 31 December 1885, and advanced to be VISCOUNT COLVILLE OF CULROSS on 12 July 1902. He died 1 July 1903. Lord Colville married, 6 June 1853, at the Chapel Royal, Whitehall, Cecile Katherine Mary, eldest daughter of the second Lord Carrington, by his first wife, Elizabeth Katharine, daughter of Cecil Weld, first Baron Forester of Willey Park. She was born 12 September 1829, and left issue:—

1. Charles Robert William, second Viscount.
2. *Stanley Cecil James*, C.V.O., C.B., captain R. N., born 21 February 1861, served in Zulu War 1879,

Egyptian Campaign 1882, Nile Expedition 1884, and in the Dongola Expedition 1896. He married, 6 December 1902, Adelaide Jane Meade, youngest daughter of Admiral the Earl Clanwilliam, with issue:—

(1) *George Cecil*, born 9 September 1903, and for whom King Edward stood sponsor.

3. *George Charles*, born 21 July 1867. B. A., Cambridge, and barrister-at-law.
4. *Blanch Cecile*, born 8 August 1857, married, 26 July 1890, to Admiral Richard Frederick Britten.
5. —— a daughter, who died in infancy.

XI. Charles Robert William, eleventh Lord and second Viscount Colville, was born 26 April 1854, in Eaton Place, and succeeded his father 1 July 1903. He is a major (retired) in the Grenadier Guards, served in the Zulu War 1879; late A.D.C. to the Commander-in-chief at Bombay, and military secretary to the Governor-General of Canada. He married, 7 October 1885, Ruby, daughter of Colonel Henry Dorrien Streatfield of Chiddingstone, Kent, and has issue:—

1. *Charles Alexander*, Master of Colville, cadet R.N., born 26 May 1888.
2. *Margaret*, born 11 September 1886.
3. *Sybil Marion*, born 21 July 1897.

Creations.—10 March 1604, Lord Culross; 25 April 1609, Lord Colville of Culross, in the Peerage of Scotland; 31 December 1885, Baron Colville of Culross; 12 July 1902, Viscount Colville of Culross, in the Peerage of the United Kingdom.

Arms.—Not recorded in the Lyon Register, but which appear on a seal of James, first Lord Colville of Culross.—Quarterly: 1st and 4th, argent, a cross moline sable, for *Colvill*; 2nd and 3rd, gules, a fess chequy argent and azure, for *Lindsay*.

Crest.—A hind's head, couped at the neck argent.

SUPPORTERS.—On the seal alluded to above the supporters are a savage and an antelope *coué*. At present, however, they are, dexter, a rhinoceros proper; sinister, a figure of Hercules, habited in a lion's skin and holding his club on his left shoulder.

MOTTO.—*Oublier ne puis.*

[J. A.]

COLVILL, LORD COLVILL OF OCHILTREE

ROBERT COLVILL, natural son of Sir James Colvill of Easter Wemyss, is called as heir next in remainder after the heirs-male of his father's body, in a charter by Sir James Hamilton of Fynnart, to the said Sir James Colvill, of the barony of Easter Wemyss, dated 13 December 1530, and confirmed by the King 3 January 1530-31.[1] From his father he received a charter of the barony of Cleish, in favour of himself and Francisca Colquhoun, on 15 July 1537, which was confirmed under the Great Seal 21 of same month.[2] He was forfeited by Parliament on 10 December 1540 for treason, in giving counsel, favour, and assistance to Archibald, Earl of Angus, and his brother, and for other crimes, which forfeiture was rescinded 12 December 1543. He held the office of Master of the Household to Lord James Stewart, afterwards the Regent Moray.[3] An active promoter of the Reformation, he joined the forces of the Lords of the Congregation,[4] and took part in their attack upon the French at Leith on 7 May 1560, where he was wounded in the thigh, and died two hours afterwards. It has been

[1] *Reg. Mag. Sig.* [2] *Ibid.* [3] *Exch. Rolls*, xx. 51. [4] Knox's *History*, 227.

stated that Robert Colvill of Cleish was really the hero of the adventure ascribed to 'Squire Meldrum' of Cleish and Binns so graphically narrated by Sir David Lindsay.[1] He married Francisca, daughter of Patrick Colquhoun of Drumskeath, and Elizabeth, daughter of Sir James Colvill of Ochiltree (*see* page 543). She was married, secondly to Gilbert Mercer of Sawling, and died in July 1591.

Robert Colvill had issue:—

1. ROBERT.
2. *John*, Master of Arts, St. Andrews, about 1561, minister of Kilbride 1567, presented to the chantorie of Glasgow by James VI. 20 April 1569, demitted his benefice and deserted his charge in 1578. He was appointed Master of Requests in November 1578, but still appears as minister of Kilbride till 1585. He was ambassador to Queen Elizabeth from those engaged in the Ruthven Raid in 1582, for which he was imprisoned and forfeited by Parliament 22 August 1584. Appointed an ordinary Lord of Session 2 June 1587, but resigned nineteen days afterwards. Having joined in the treasonable practices of Francis, Earl of Bothwell, he was driven to the Continent, where he became a Roman Catholic, and died in great want and misery at Paris in November 1605, aged about sixty-three. He was the author of several works. His letters, 1582-1603, were published by the Bannatyne Club, together with a memoir, in 1858. He married, in July 1572, Janet Russell, and had issue, Robert, John, Thomas, a daughter who married Henry Stewart of Whitelaw, and Margaret, who married Sir Jerome Lindsay, Lyon King of Arms.
3. *Matthew* of Condy, who had issue *William*, who sold Condie to Laurence Oliphant in 1601,[2] and *Matthew*.[3]
4. *William*.
5. *Thomas*, who with his brothers Matthew and William was denounced rebel for non-appearance before the Privy Council 9 June 1584.[4]
6. *Henry*, presented to the vicarage of Mukhart 24

[1] 'Coronis' or Supplement to *The Hist. of the Church of Scotland*, by William Row of Ceres. [2] Condie Charters. [3] Protocol Book of James Primrose, f. 142b. [4] *P. C. Reg.*, iii. 672.

October 1577, to the provostry of Kirkwall Cathedral 11 June 1579, but declining to accept either, was presented by the King to the parish of Orphir in Orkney 6 June 1580.[1] He was murdered on the Noup of Nesting in Shetland 9 July 1596.[2] His grandson, James Colvill of Huip, served heir to him 8 August 1638.

7. *Elizabeth*, married to Archibald Dundas of Fingask.
8. *Euphan*, married to James Monypenny of Pitmillie.
9. *Grizel*, married (contract dated 27 May 1561) to Harry Echlin of Pittadro.[3] [She deceased before 12 August 1607.[4]
10. *Margaret*, married, 1577, to Arthur Sinclair of Aith in Zetland.

ROBERT COLVILL of Cleish, had a charter to himself and Margaret Lindsay, his wife, of the lands of North Lathamis, from Robert, Archdeacon of St. Andrews and Commendator of Dunfermline, dated 10 April 1566, confirmed 11 March 1568-69,[5] and a charter from Alexander, Commendator of Culross, of the bailiary of the lordship of Culross on 12 September 1569.[6] He appears as clerk to the Lord Treasurer in 1580.[7] He had licence to travel beyond seas for three years, 3 December 1583,[8] and died in 1584.[9] He married Margaret, daughter of John Lindsay of Dowhill.[10] She died at the Place of Crombie on 31 August 1601,[11] and had issue:—

1. ROBERT.
2. *John*, a witness to a charter by Alexander, Commendator of Culross, 1 December 1586.[12]
3. *James*, a witness to a precept of *clare constat* by David Balfour of Inschery, 11 July 1589.[13]
4. *Alexander*, who was ordered by the Privy Council to be denounced for the cruel wounding of Gilbert Adglay, servant to John Elphinstone of Schank in 1605.[14]

[1] *Reg. Sec. Sig.*, xlv. 8, 40; xlvi. 123. [2] Pitcairn, i. 386. [3] *Reg. of Deeds*, iv. f. 238. [4] Edin. Tests. [5] *Reg. Mag. Sig.* [6] *Ibid.* [7] *Exch. Rolls*, xxi. 545. [8] *Reg. Sec. Sig.*, xxv. 8. [9] Edin. Tests., 13 August 1586. [10] *Perth Inhibitions*, 16 October 1591. [11] Edin. Tests., 15 May 1602. [12] *Reg. Mag. Sig.* [13] *Laing Charters*, 1188. [14] *P. C. Reg.*, vii. 74.

5. *Mr. David.* He was at Venice in 1615.[1]
6. *Elizabeth.*
7. *Janet.*
8. *Margaret*, all these children mentioned in their mother's testament.

ROBERT COLVILL of Cleish, who as son and heir of his father had a charter of the barony of Cleish, 17 November 1574.[2] He was one of the signatories to the bond for the Raid of Ruthven in 1582, for which he was proceeded against and ordered to ward himself in the Castle of Dumbarton, which, however, he failed to do, was put to the horn, but was released 2 December 1583.[3] He had charters of the house belonging to the Preceptory of Moray, 24 December 1582,[4] and of the coal betwixt the lands of Torryburn and the torrent of the same on 3 February 1604.[5] He died in January 1634. By his wife Beatrix, daughter of John Haldane of Gleneagles, he had issue:—

1. ROBERT.
2. *David*, married (contract dated 6 July 1630) Agnes, youngest daughter of David Beaton of Balfour, Fifeshire. He died in November 1647,[6] leaving issue:—
   (1) ROBERT, second Lord Colvill of Ochiltree, of whom afterwards.
   (2) *David*, who married (contract dated 30 June 1664) Margaret, daughter of Michael Barclay, advocate, and died in June 1665,[7] leaving a daughter *Margaret*, to whom Robert, Lord Colvill of Ochiltree, was appointed tutor, 3 November 1665.[8]
   (3) *Andrew*, who was apprenticed to John Rig, merchant, Edinburgh, 8 July 1657,[9] and was dead before 1 September 1660, as appears from a discharge granted on that date by David his brother and Jean his sister to their elder brother Robert for their two-thirds of the patrimony left by their father to him, who had died intestate.
   (4) *Jean*, married, at Crombie, 2 September 1658, to Thomas Alexander, younger of Skeddaway.[10]
3. *William*, a witness to an obligation by Sir Robert his brother, 7 October 1642.[11] He married Katharine Brown, and left issue.[12]

[1] *Reg. of Deeds*, 285, 31 July 1619. [2] *Reg. Mag. Sig.* [3] *P. C. Reg.*, iii. 507, 590. [4] *Reg. Mag. Sig.* [5] *Ibid.* [6] *Deeds* (Mack.), 23 December 1667. [7] St. Andrews Tests., 11 May 1687. [8] *Reg. Mag. Sig.* [9] Edin. Reg. of Apprentices. [10] Lamont's *Diary*, 107. [11] *Laing Charters*, 2317. [12] *Perth Sasines*, viii. 168.

4. *James*, a witness to a charter, dated 1 May 1614, by his father and eldest brother to Andrew Wilson of the Walkmylne of Crummie.[1]
5. *Margaret*, married to David Wemyss of Fingask.
6. *Grizel*, married to James Mitchell of Bandeath, co. Stirling.[2]

He is also said to have had a daughter *Elizabeth*, married to Sir William Dalgleish.

I. ROBERT COLVILL of Cleish, who, as eldest son of his father, had a Crown charter of the barony on 1 February 1635,[3] and was served heir to his father 12 September 1643. A warrant to dub him knight was granted by King Charles I. on 2 May 1632.[4] He was created a Peer by King Charles II. when in exile, 4 January 1651, as LORD COLVILL OF OCHILTREE, with remainder to his heirs-male whatsoever. He died at Crombie on Monday 25 August 1662, and was buried there that very night.[5] He married, first, Janet, second daughter of Sir John Wemyss by his second wife Mary, daughter of Sir James Stewart of Doun, and sister of John, first Earl of Wemyss. She died at Cleish in April 1655, without issue.[6] He married, secondly, Euphan, daughter of Sir Thomas Myrton of Cambo by a daughter of Halket of Pitfirrane. She had a charter as Lady Colvill 23 December 1656.[7] She survived him and married, secondly, James, brother of Sir David Carmichael of Balmedie.[8] She died 8 November 1708, and was buried in the Chapel of Crombie.[9] Her testament was given up at St. Andrews, and confirmed on 5 October 1709, by Cecilia Carmichael, Lady Barns, her daughter.

II. ROBERT, second Lord, succeeded his uncle on 25 August 1662, and was served heir to him on 6 November 1662. He married, at Falkland, 19 August 1662, Margaret, eldest daughter of David Wemyss of Fingask,[10] and died at Cleish 12 February 1671.[11] His widow was committed

[1] *Laing Charters*, 1707. [2] Douglas, *Baronage*. [3] *Reg. Mag. Sig.* [4] *P. C. Reg.*, second series, iv. 488. [5] Lamont's *Diary*, 154; Stirling Tests., 18 February 1663 and 5 October 1664. [6] Lamont's *Diary*, 87; St. Andrews Tests., 23 May 1655. [7] *Gen. Reg. Sas.*, xii. 264. [8] *Deeds* (Mack.), 1 July 1670. [9] Funeral Escutcheon, Lyon Office. [10] Lamont's *Diary*, 150. [11] *Ibid.*, 153; St. Andrews Tests., 28 November 1695.

prisoner to the Tolbooth of Edinburgh, 2 December 1684, for bringing up her son in fanaticism and in disloyalty, and putting him out of the way when the Privy Council was going to commit his education to others. He had issue:—

1. ROBERT, third Lord.
2. *Margaret*, married, as second wife in 1701, to Sir John Ayton of Ayton, Fifeshire, who died in 1703, and had issue:—

   (1) *Robert*, who assumed the name of Colvill on succeeding to Ochiltree on the death of his uncle, and married Janet, eldest daughter of Sir Peter Wedderburn of Gosford, Bart., and had issue.
   (2) *Andrew*, whose descendants succeeded to Craigflower.

3. *Mary*, who married the Rev. Allan Logan of that Ilk, minister of Torryburn 1695, and of Culross 1717, till his death in September 1733. She survived him, and died before 19 November 1739.[1]

III. ROBERT, third Lord, only son, succeeded his father in 1671, and took his oath and seat in Parliament 27 May 1700. He strenuously opposed the Union, voting against it on every question. He died without issue on 25 March 1728,[2] when the title probably became extinct. It was, however, assumed by

DAVID COLVILL, captain in the 51st Foot, and major in 1778, who was the son of William Colvill, tenant at Balcormie Mill in Fife, and grandson of James Colvill in Nether Kinloquhie, by his wife Margaret, daughter of William Wallace, tenant in Cassindillie, which James Colvill he alleged was immediate younger brother of Robert, second Lord. He died suddenly in London 8 February 1782, unmarried, when the title was assumed by his cousin,

ROBERT COLVILL, only son of John Colvill, wright at Elie in Fife, who was brother-german to William Colvill, tenant at Balcormie Mill above mentioned. He was served heir on 7 April 1784 to Robert, third Lord Colvill, and voted at the election of Representative Peers in 1784 and 1787 without challenge, but at the election of 1788 his vote

[1] Stirling Tests. [2] *Ibid.*, 4 February 1729.

being challenged by Lord Cathcart, it was proved that his ancestor James Colvill in Nether Kinloquhie was not the younger brother of the second Lord, but was the son of Arthur Colvill at Milltown of Pitmillie. His vote was therefore disallowed, and the assumption of the title ceased.[1]

Creation.—Lord Colvill of Ochiltree, 4 January 1651.

Arms.—Not recorded in Lyon Register, but given by Nisbet as:—Quarterly: 1st and 4th, argent, a cross moline sable, for *Colvill*; 2nd and 3rd, gules, a fess chequy argent and azure, for *Lindsay*.

Crest.—A hind's head couped argent.

Supporters.—Dexter, a rhinoceros proper; sinister, a Hercules clothed with a lion's skin with a club in his hand, all proper.

Motto.—*Oublier ne puis.*

[F. J. G.]

[1] Robertson's *Peerage Proceedings*, 458-467.

ELPHINSTONE, LORD COUPAR

BY charter under the Great Seal, dated 20 December 1607, King James VI. erected the lands and baronies of the Cistercian Abbey of Coupar-Angus into a temporal lordship in favour of his godson, the Hon. James Elphinstone, younger son of the first Lord Balmerino, with the title of a lord of Parliament, by the style of LORD COUPAR. His lordship was appointed an Extraordinary Lord of Session 7 June 1649, in room of his brother, the second Lord Balmerino, deceased. Sir James Balfour says of Lord Coupar that 'his head will not fill his brother's hat.' The following epigram is to the same effect:—

> 'Fy upon death,
> He 's worse than a trooper,
> That took from us Balmerinoch,
> And left that howlit Cowper.' [1]

Lord Coupar was appointed colonel of one of the regiments of foot for the county of Perth, to resist Cromwell in 1650, and was fined £3000 by the Protector in 1654.[2] In 1662 he was fined £4800 Scots for not conforming to Episcopacy.[3]

A curious case relating to Lord Coupar was decided in the Court of Session 3 July 1662. His lordship, sitting in Parliament, took out his watch, and handed it to Lord

[1] Brunton and Haig's *Senators of the Courts of Justice*, 340; citing Balfour's MS. [2] *Ibid.*, 340. [3] Wodrow, i. 275.

Pitsligo, who, refusing to restore it, an action was brought for the value. Lord Pitsligo said that Lord Coupar having put his watch in his hand to see what hour it was, Lord Sinclair putting forth his hand for a sight of the watch, Lord Pitsligo put it into Lord Sinclair's hand in the presence of Lord Coupar, without contradiction, which must necessarily import his consent. Lord Coupar answered that they being then sitting in Parliament, his silence could not import a consent. The Lords repelled Lord Pitsligo's defence, and found him liable in the value of the watch. His lordship married

First, Margaret, daughter of Sir James Halyburton of Pitcur; second, contract 11 October 1666,[1] Marion Ogilvy, eldest daughter of James, second Earl of Airlie. She married, after the death of her first husband, John, third Lord Lindores. Lord Coupar dying in 1669 without issue, his title and estates devolved upon his nephew, John, third Lord Balmerino, and his descendants, in terms of the patent and entail. His second wife had prevailed upon him to make a conveyance upon an exchequer resignation, to the exclusion of Lord Balmerino, of his honours and estates in favour of herself and whomsoever she might afterwards marry. His lordship, however, was, at the time of making this disposition, far advanced in years, and suffering from a mortal malady; and thus the law of death-bed came into effect to render the conveyance of no value; and it was set aside by a judgment of the Court of Session on the 28 June 1671, upon an action of reduction at the instance of Lord Balmerino, the heir-at-law.[2]

Creation.—20 December 1607.

Arms.—Argent, on a chevron sable between three boars' heads erased gules, three hearts or.

Crest.—A stag lodged proper winged, antlered, and unguled or, below an oak tree of the first, fructed of the second.

Supporters.—Two stags proper winged, antlered, and unguled or.

Motto.—*Sub umbra.* [J. C.]

[1] *Gen. Reg. Sas.*, xviii. 258. [2] Fraser's *Elphinstone Book*, ii. 132; Riddell's *Peerage Law*, i. 86.

RICHARDSON, LORD CRAMOND

ELIZABETH, Baroness of Cramond, was the eldest daughter of Sir Thomas Beaumont of Stoughton Grange, co. Leicester, Knight, by Catherine, daughter and heir of Thomas Farnham of Bedworth, co. Warwick. She married, first, Sir John Ashburnham of Ashburnham, co. Sussex, Knight, and by him, who died 29 June 1620, and was buried at St. Andrew's, Holborn, had several children; her eldest son, John Ashburnham, becoming ancestor of the Earls of Ashburnham. She married Sir Thomas Richardson, 14 December 1626, at St. Giles-in-the-Fields, London, without issue. On 23 February 1627-28, she was created Baroness of Cramond[1] by a patent of which the following is a summary:—'Carolus, etc., fecisse, creasse et constituisse Elizabetham dominam Richardson, conjugem domini Thomæ Richardson, militis, justiciarii principalis in foro causarum communi in palatio Westmonasteriensi, pro toto tempore vitæ suæ, BARONISSAM DE CRAMOND; ac post illius decessum, creamus perque modum successionis dominum Thomam Richardson militem, filium et hæredem dicti principalis justiciarii dominum BARONEM DE CRAMOND, dando, etc., eidem post decessum dictæ

[1] Crawfurd in his *Peerage* remarks that this is the only instance of a female creation within the realm of Scotland which had come under his notice.

dominæ, suisque hæredibus masculis,[1] quibus deficientibus hæredibus masculis de corpore dicti domini Thomæ Richardson, patris, post decessum præfatæ dominæ, titulum, etc., baronum parliamenti, tenendum et habendum præfatum titulum domini baronis de Cramond, post decessum præfatæ dominæ, cum suffragio in parliamento, dummodo personaliter præsentes fuerint, et non aliter.' She died in Covent Garden, and was buried (according to her own desire expressed in her will) with her first husband in St. Andrew's, Holborn, 3 April 1651. Her will, dated 19 February 1650-51, was proved 7 April following.[2] Her second husband, Sir Thomas Richardson, who was son of William Richardson and Agnes, his wife, was baptized at Hardwick near Shelton, Norfolk, 3 July 1569,[3] was admitted at Lincoln's Inn, as 'Thomas Richardson, of Norfolk, of Thavies Inn,'[4] 5 March 1586-87, and called to the Bar 28 January 1594-95. Was Standing Counsel and Under Steward to the Dean and Chapter of Norwich; Recorder of Bury St. Edmunds and afterwards of Norwich; Serjeant-at-law and Reader of Lincoln's Inn 1614; Chancellor to the Queen; M.P. for St. Albans 1620-23, and Speaker for that Parliament. Knighted at Whitehall 25 March 1621; King's Serjeant 20 February 1625-26; Chief-Justice of the Common Pleas 28 November 1626; Chief-Justice of the King's Bench 24 October 1631, until his death, which occurred at his house in Chancery Lane 4 February 1634-35. He was buried at his own wish in Westminster Abbey, where there is a monument[5] to his memory, of black marble with his bust (by Le Sueur), in his judge's cap, robes, ruff, and collar of SS., his arms and a Latin epitaph, in which it is recorded that he died in the sixty-sixth year of his age. He acquired the manor of

[1] That is, to the heirs-male of his body, otherwise the remainder over to the heirs-male of the body of his father would have had no meaning. (*See* a footnote in the *Complete Peerage* by G. E. C.) [2] P.C.C., 63, Grey. [3] Chester's *Registers of Westminster Abbey* (Harl. Soc.), p. 131. [4] Admission Register of Lincoln's Inn. [5] This monument was erected by his son Sir Thomas Richardson, in accordance with a direction contained in his will by which he bequeathed £100 for the purpose, 'hopeing that thereby my Children will bee both putt in mynd to praise God for his exceeding mercyes towards us, and also that some of their Children will bee moved to follow that profession wherein it hath pleased God soe much to blesse mee, ffor which Causes I desire this Monument and not upon any Conceipt of vayne glory at all.'

Honingham, Norfolk, about 1600, and also purchased other estates in that county. His will is dated 16 January 1634-35, and administration with the will annexed was granted 15 April 1635.[1] He married, first, at Barham, Suffolk, 20 July 1595, Ursula, third daughter of John Southwell of Barham Hall, by Margaret, daughter of Edmond Crofts, of West Stow, Suffolk. She, who was baptized, 5 October 1567, at Barham, was buried at St. Andrew's, Holborn, 13 June 1624. By her he had twelve children, of whom only the following lived to maturity:—

1. Sir Thomas Richardson, who died before his step-mother.
2. *Ursula*, married Sir William Yelverton of Rougham, co. Norfolk, Knight and Baronet, by whom she had issue.
3. *Mary*, married John Webb, by whom she had issue. She died 10 March 1656, aged fifty-six.
4. *Elizabeth*, married Robert Wood of Bracon Ash, co. Norfolk, Esq., by whom she had issue. She died 13 July 1655, aged forty-eight.
5. *Susan*, unmarried at date of her father's will.

Sir Thomas Richardson, styled Master of Cramond, born 1597; admitted at Lincoln's Inn, 23 May 1613, as son and heir-apparent of Thomas Richardson of 'Stanfield, Norfolk, bencher';[2] knighted at Whitehall, 2 December 1626.[3] Died in the lifetime of his step-mother, the Baroness Cramond, 12 March 1642-43, aged forty-five, and was buried in the chancel of the church of Honingham, co. Norfolk, where there is a mural monument of marble, with a three-quarter figure of a man in armour, with a sword and truncheon, and a Latin inscription.[4] I.P.M. taken at Thetford, 6 October 1643.[5] He married, first, at St. Martin's-in-

[1] P.C.C., 35, Sadler. By this will the chief-justice entailed the manors of Pentney and West Bilney in Norfolk on his son Sir Thomas Richardson, with remainder in strict settlement on the male descendants of his said son, and with an ultimate remainder to his kinsman and servant Edward Richardson, who is elsewhere called in the same will 'my well beloved kinsman Edward Richardson, who now serves mee being Clerke of my ffynes.' [2] Admission Register of Lincoln's Inn. [3] Metcalfe's *Book of Knights*. [4] There is a plate of this monument in Blomefield's *Norfolk*, ed. 1805, ii. 449; Admon. of his goods and effects granted P.C.C., 11 July 1646. [5] Inq. P.M. 20 Charles I., *virtute officii*, pt. i., No. 61.

the-Fields, co. Middlesex, 11 July 1626, Elizabeth, daughter of Sir William Hewett of Pishiobury, co. Herts, Knight, by Elizabeth, daughter of Richard Wiseman of St. Lawrence Pountney, London, Esquire. She died 24 January 1639-40, and was buried at St. Botolph's, Aldersgate, London. He married, secondly, Mary, widow of Sir Miles Sandys of Miserden, co. Gloucester, Knight, and daughter of Sir John Hanbury of Kelmarsh, co. Northampton, Knight, by his wife Mary Whetle of Bury St. Edmunds. She married as her third husband, at St. Bartholomew the Less, London, 27 February 1646-47, John Gofton of Stockwell, co. Surrey, Esquire, whom she survived. She died 1686: her will, dated 1 June of that year, was proved 3 January 1686-87.[1] In this will she desired to be buried at Miserden, with her first husband and children.

By his first marriage with Elizabeth Hewett, Sir Thomas Richardson had seven sons and three daughters:—

1. THOMAS RICHARDSON, who succeeded as Baron Cramond.
2. *William Richardson*, Serjeant-at-law. Had the manors of Little Hockham and Stanfeild, *alias* Stanfeild Hall, co. Norfolk. He died without surviving issue, 1682. By his will, dated 8 March 1681-82, proved 24 July 1682,[2] he desired to be buried near his children in St. Botolph's, Aldersgate, London. He married Abigail, widow of . . . Chandler. She died, 1689, at Hampstead, co. Middlesex; her will, dated 4 May, was proved 20 September 1689[3] by Daniel Chandler her son and executor.
3. *Charles Richardson*, married, 11 June 1657, at St. James's, Clerkenwell, Elizabeth Wiseman, and had:—
   (1) *Charles Richardson*, probably living 31 July 1715.[4]
   (2) *Ursula*, living and unmarried 24 June 1681.[5]
   (3) *Anne*.
   (4) *Margaret*.
4. *John Richardson*, baptized at St. Andrew's, Holborn, August 1629; died young before 16 January 1634-35.
5. *Henry Richardson*, died 6 September 1663, aged thirty; buried at Honingham.

[1] P.C.C., 12, Foot. [2] *Ibid.*, 89, Cottle. [3] *Ibid.*, 129 Ent. [4] *See* will of William, Lord Cramond, P.C.C., 109, Browning, by which an annuity of £20 for life was left to Charles Richardson, gent. [5] She was on that day a witness to the will of Sir William Wiseman, Bart., P.C.C., 29, Cann.

6. *John Richardson*, died young.
7. *Richard Richardson*, died young.
8. *Mary*, died young, 3 March 1638-39, buried at Honingham, within the altar rails.
9. —— a daughter, died young.
10. *Elizabeth*, baptized at St. Andrew's, Holborn, January 1634-35. Married Richard Mansel (? Mansfeild) of West Leek, co. Derby.[1]

Sir Thomas Richardson, by his second wife Mary, Lady Sandys, had one son:—

11. *Edward Richardson*, baptized at St. Martin's, Ludgate, 23 April 1642: he is not mentioned in the will of his mother, and probably died young, *s.p.*

II. THOMAS RICHARDSON, Lord Cramond, succeeded his grandfather's relict in the title,[2] 1651, under the special remainder in the patent by which the title was created. He was baptized at St. Martin's-in-the-Fields, 19 June 1627; was returned one of the Knights of the Shire for Norfolk, April 1660, until his death. He died 16 May 1674, and was buried next day at Honingham, where a monument was erected to his memory.[3] He married (licence from the Bishop of London, 20 September 1647) Anne, daughter and co-heir of Sir Richard Gurney, Bart., Lord Mayor of London, by Elizabeth, his first wife, daughter of Henry Sandford of Birchington, co. Kent. She, who was born 1630, died 31 January 1697-98, and was buried at Honingham.[4] By her Lord Cramond had:—

1. HENRY, succeeded his father as Lord Cramond.
2. *Thomas Richardson* of St. Andrew's, Holborn, and of Honingham, co. Norfolk. Born 20 May 1652, and died in London October 1696, *s.p.* Buried at Pishiobury, co. Herts. His will, dated 3 October, was proved 10 November 1696.[5] He married (licence from Vicar-General, 17 December 1691) Anna, daughter of

[1] The will of her brother Serjeant William Richardson mentions his sister Mansfeild. [2] He and his successors were in formal documents frequently styled Lords Richardson. [3] The inscription on this monument is printed in Blomefield's *History of Norfolk*, ii. 447. Grants of administration of his goods and effects were made P.C.C., 16 July 1674, and 26 June and 26 July 1688. [4] Administration to her estate was granted P.C.C., 23 February 1698-99. [5] P.C.C., 229, Bond.

—— Salmon, M.D., of London, and widow of Richard Bourne of the Middle Temple, London, and of co. Kent, Esquire. She proved her second husband's will, as executrix, November 1696.

3. William, succeeded his brother Henry as Lord Cramond.
4. *Mary*, born 23 December 1655, died 1 August 1666.
5. *Angelica*, born 24 March 1663-64, died unmarried 15 February 1716-17, buried at Southacre, co. Norfolk.[1]

III. Henry, Lord Cramond, born October 1650. Was educated at Cambridge; M.A. 1668. Died *s.p.* 5, and buried at Honingham 7, January 1701-2. He married Frances, widow of Sir Edward Barkham, Bart., of Southacre, co. Norfolk, and daughter of Sir Robert Napier, Bart., of Luton Hoo, co. Bedford, by his second wife Penelope, daughter of John, first Earl of Bridgewater. She died at Norwich, November 1706.[2]

IV. William, Lord Cramond, born 2, and baptized 5, August 1654, at St. Margaret's, Westminster, and was educated at Cambridge; M.A. 1671. Succeeded his brother Henry as Lord Cramond, 5 January 1701-2. Died 7 March 1718-19, and was buried at East Walton, co. Norfolk. Will dated 31 July 1715, proved 5 June 1719.[3] He married, first, Elizabeth, daughter of Robert Barkham, of Southacre, co. Norfolk; she died *s.p.* 28 September 1712, aged fifty-four, and was buried at East Walton. He married, secondly, 9 February 1713-14, at Ringland, co. Norfolk, Elizabeth, daughter and heir of James Daniel, of Norwich, goldsmith. She died 8 September 1722, aged thirty-seven, and was buried at East Walton.[4] By his second wife Lord Cramond had:—

1. William, succeeded his father as Lord Cramond.
2. *Elizabeth*, born after 31 July 1715; sole heir of her

[1] According to Blomefield's *Norfolk*, she was buried at Ringland.
[2] Wood's Douglas says she was buried at Southacre, 19 November 1706. The *Complete Peerage*, while agreeing in date, gives the place of interment as 'Dudlington' (? Didlington), Norfolk. [3] P.C.C., 109, Browning.
[4] Admon. P. C. C., 4 December 1722, granted to Elizabeth Daniel, widow, as guardian of William, Baron Cramond, and Elizabeth, his sister.

brother William, Lord Cramond.[1] She married, August 1735, William Jermy, of the Precinct of the Cathedral Church of Norwich, Esquire, only son of John Jermy, of the same place and of Bayfield, Norfolk. She was formally separated from her husband by deed, dated 5 July 1739, and afterwards lived apart from him. She died in London, 1 August 1751, *s.p.* Will dated 20 June, proved 2 August 1751.[2]

V. William, Lord Cramond, born February 1714-15. He was educated at Corpus College, Cambridge, 1731-32. Died unmarried, 28 July 1735, and was buried at East Walton. At his death the title became extinct or dormant.[3]

Arms.—Or, on a chief sable three lions' heads erased of the field; to which King Charles I. added a canton azure, charged with a St. Andrew's cross argent.

Crest.—An unicorn's head, ermine, issuing from a coronet.

Supporters.—Two horses, ermine.

Motto.—*Virtute acquiritur honos.*

[H. W. F. H.]

[1] She and her husband sold Southacre Hall, the last remaining property of the Lords Cramond in Norfolk, to Sir Andrew Fountain, Knight. Honingham had been sold by Thomas, first Lord Cramond, to Richard Baylie, D.D., Dean of Salisbury, and President of St. John's College, Oxford (*Complete Peerage*). [2] P.C.C., 228, Busby. [3] On this peerage the Lords of Session remark, that it does not appear that any person ever sat or voted as Lord Cramond, or that any one offered to vote at any election, since the Union, under that title, but as the descendants of Sir Thomas Richardson, if any were, had probably their residence in England, their not having claimed hitherto can be no objection to their title, if they can verify their right to it (Robertson's *Proceedings*).

CRANSTOUN, LORD CRANSTOUN

THIS family derived their surname from the territory of Cranston, which is situated on the river Tyne, in the eastern district of Midlothian. At an early date, it is said in the twelfth century,[1] the estate was divided into two portions, Upper Cranston and Nether Cranston, which subsequently were distinguished by the names of New Cranston or Cranstondaw, and Cranston Riddell, respectively. It was with the former that the Cranstouns were associated. Certain individuals of the name are mentioned in early charters, but it is not now possible to establish their actual connection with the family. Elfric de Cranston, who is said to have owned Upper Cranston,[2] was witness to a convention between Roger de Quincy and the abbot and convent of Newbottle in 1170.[3] Thomas de Cranston flourished in the reign of Alexander II., and made a donation to the monastery of Soltray of some lands lying near Paiston, in East Lothian, for the welfare of his own soul, and those of his ancestors and successors.[4]

ANDREW DE CRANSTOUN, dominus de eodem, is the first of

[1] Chalmers' *Caledonia*. [2] *Ibid*. [3] Dalrymple's *Collections*, 350. [4] *Reg. Cart. de Dom. de Soltre*, 19.

the name so styled. He was dead before 1338,[1] and had a son

Radulphus or Ralph de Cranston, dominus de New Cranston, who, described as son and heir of the foregoing Andrew, confirmed a grant of certain lands in New Cranston to the Abbey of Newbottle, in the year 1338,[2] and also confirmed to the monastery of Soltray, about the same date, certain lands in New Cranston, which he had from his ancestors.[3] He had a son

John de Cranston, who is particularly named in his father's confirmation to the monastery of Soltray before mentioned. He appears to have had at least two sons, but only the name of one has been ascertained, by whom he was succeeded,

Thomas de Cranstoun or Cranyston. He had a charter from Thomas, Earl of Mar, Lord of Cavers, etc., in the reign of David II. of the land of Denome (Denholm), Denome Dene, Baliolhage, excepting only the demesnes within the barony of Cavers, and the whole lands of Stobs, in Roxburghshire,[4] which grant was confirmed by James II. in 1441.[5] He also obtained from King Robert II. a charter, dated at Cambuskenneth 18 January 1380-81, confirming grants of the lands of Fouleryslaud in Denum, and Little Rulwood, adjoining the said town of Denum, in the barony of Caverys, in the sheriffdom of Roxburgh, by William, Earl of Douglas and Mar; these lands which John Mautalent and John de Payniston held of the said William, in the town and territory of Langnudreth, in the constabulary of Hadyngton, by William of Seton; and of the land which is called 'terra Thomae filii Duncani,' in the barony of Symondstoun, in the sheriffdom of Lanark, by Thomas, son of Duncan of Symondston.[6] He was dead in or before 1409, and left issue:—

1. William.
2. *John*, who had a precept from Archibald, Earl of

[1] *Reg. de Newbottle*, 167, No. 208. [2] *Ibid.* [3] *Reg. Dom. de Soltre.* [4] Robertson's *Index*, 61, No. 13. [5] *The Douglas Book*, iii. 425. [6] *Reg. Mag. Sig.*, fol. vol. 143.

Douglas, to give sasine to his squire John Craniston, son of the late Sir William (*sic*) Craniston, lord of that Ilk, in £20 worth of land granted to him by charter in the town of Sprowiston, dated at Edinburgh 4 November 1413.[1]

William de Cranystoun was witness in a charter of Walter de Haliburton of Dirletoun, dated 8 June 1409;[2] a party to a contract between Sir Archibald Douglas, Sheriff of Teviotdale, and Sir William Cranstoun of that Ilk, dated 7 April 1409;[3] also to an indenture between William Cranstoun of that Ilk and others in May 1414;[4] and, as Sir William Cranstoun, Lord of Denom, witness to the signature of Archibald, Earl of Douglas, in a charter dated 20 November 1417.[5] He died previous to 1428, and was succeeded by

Sir Thomas Cranstoun, probably his son, who had a charter of the lands of Denholm, etc., as Thomas Cranstoun of that Ilk, from Archibald Douglas of Cavers, dated 28 November 1428,[6] was witness to a declaration as to sasine to David of Home in the lands of Wolle and Wolfhoplee in 1436;[7] also had a charter from Archibald, Duke of Touraine, Earl of Douglas, etc., of a twenty pound land in the town and territory of Sprouston, dated 2 August 1432;[8] a charter of confirmation of the lands of Denholm, Stobs, etc., 10 September 1441;[9] another of the barony of Greenlaw, in the county of Berwick, 2 March 1451-52. He obtained for his services from William, Earl of Douglas and Avondale, a grant of the Earl's lands on the west side of the town of Sprouston, dated 10 May 1446.[10] He was employed in negotiations with England at this period, and had a safe-conduct to pass into England for one year with William, Earl of Douglas, dated 23 April 1451.[11] He was one of the conservators of the truce of the year 1459, and held the office of Bailie of Ettrick Forest in 1460.[12]

1 *Hist. MSS. Rep.*, Duke of Roxburgh. 2 Robertson's *Index*. 3 Old Inventory of Cranstoun writs in Gen. Reg. Ho. 4 *Ibid.* 5 *Seventh Rep. Hist. MSS. Com.*, 528. 6 Inventory in Reg. Ho. 7 *Hist. MSS. Rep.*, Col. David Milne Home, 20. 8 *The Douglas Book*, iii. 418. 9 *Reg. Mag. Sig.* 10 *The Douglas Book*, iii. 427. 11 *Cal. of Docs.*, iv. No. 1232. 12 *Exch. Rolls*, vii. 24.

He was made a knight between that and 1464.[1] His death must have occurred about the year 1473.[2] He had issue:—

1. *William*, who predeceased his father. He had a charter from William, eighth Earl of Douglas, dated 20 August 1443, confirming to William Cranstoun, son and heir of Thomas of Cranstoun of that Ilk, a charter by Archibald, Duke of Touraine and fifth Earl of Douglas, dated 29 November 1434, of the lands of Nether Crailing, with pertinents lying in the shire of Roxburgh, an annex of the barony of Bothwell,[3] also a sasine on a precept, dated at Stirling 15 May 1450, by William, Lord Crichton, Chancellor of Scotland, for infefting William of Cranstoun, firstborn son and apparent heir of Thomas of Cranstoun of that Ilk, in the granter's lands of Molyn and Rahill (Rahills), in the sheriffdom of Dumfries.[4] He had a charter to William Cranstoun of Cralyn (Crailing) of the office of coroner of the county of Roxburgh, 2 March 1451-52;[5] another of the lands of Nether Kidston and others, in the county of Peebles, 12 April 1452.[6] He was apparently employed with his father in negotiations with England, and as a conservator of the truce. His name and that of his father appear in the list of jurors on an inquest of Archibald Douglas of Cavers, held at Jedworth 28 January 1464-65.[7] He also had a charter in his favour granted by Thomas of Cranstoun, presumably his father, of the lands of Denholm, 17 February 1465-66.[8]
2. *James*, noted in a writ cited below, about 1494.

[1] *Reg. Mag. Sig.*, 11 October 1464. [2] At the same period there flourished another Thomas de Cranstoun, a man of considerable importance in the kingdom, and with whom Thomas Cranston of that Ilk has not infrequently been confounded. He was much employed in negotiations with England, was also a conservator of the truce, Constable of Edinburgh Castle in 1436, Provost of Edinburgh, and Receiver-general of the King besouth the Forth 1434 (*Exch. Rolls*, iv. 597). He it was, in all probability, who, with Sir William Crichton, the Chamberlain, and William Fowlis, Keeper of the Privy Seal, was sent ambassador to Eric, King of Denmark, Norway, and Sweden in 1426 to adjust the debt due for the cession of the Hebrides. [3] *Laing Charters*, No. 122. [4] *Ibid.*, No. 129. [5] *Reg. Mag. Sig.* [6] *Ibid.* [7] *Seventh Rep. Hist. MSS. Com.*, 728. [8] Inventory, Gen. Reg. Ho.

3. —— a daughter, married to Patrick Ruthven of that Ilk, and mother of William, first Lord Ruthven.[1]

Thomas Cranston had a natural son, *William* of Cranstoun, designed brother-natural of William of Cranstoun, Lord of Crailing, when acting as procurator for the latter in an instrument dated 31 March 1461, relating that, in presence of the notary and witnesses, he dissolved, by breaking stone, wood, and earth, a pretended and scandalous sasine, which Edward of Levington took, or said he had taken, of the lands of Cruyeltoun and Rahill, in the sheriffdom of Nithsdale.[2]

JOHN DE CRANSTOUN who served heir to Thomas Cranstoun of that Ilk, 6 February 1472-73, succeeded, and is described as brother's son to Thomas of that Ilk, in a sasine following on his service on 8 November 1474.[3] He had a precept of *clare constat* in his favour as John Cranstoun of that Ilk, 29 March 1474,[4] and had sasine of Cranstoun in 1473.[5] In 1490 he is described as 'baroun of Smalem,' and is mentioned along with James Cranstoun his 'eme' in 1494.[6] He was alive on 4 November 1494, when he took sasine of the lands of Denholm,[7] but died shortly thereafter, leaving issue:—

1. WILLIAM, born in 1478.
2. *John*, feuar of Howford in Ettrick Forest in 1510.[8] He married Agnes Quhitlaw, relict of Nicol Ormiston of Meredene.[9]

WILLIAM DE CRANSTOUN had a sasine in 1500,[10] also a sasine in favour of William Cranstoun of that Ilk, Knight, lawful and nearest heir of his father, John Cranstoun of that Ilk, of certain annualrents from tenements on the north side of the 'Causegate' and in the 'Valcargate' of the burgh of Jedburgh, on 30 September 1508.[11] He had a charter from James Douglas, Sheriff of Teviotdale, of the lands of Stobs, etc., dated 30 October 1512.[12] In 1508 he is described as thirty years old and married.[13] His wife was

[1] Cf. *Reg. Mag. Sig.*, 22 June 1465. [2] *Laing Charters*, No. 145. [3] Inventory, Gen. Reg. Ho. [4] *Ibid.* [5] *Exch. Rolls*, ix. 675. [6] *Acta Dom. Aud.*, 189. [7] Inventory, Gen. Reg. Ho. [8] *Exch. Rolls*, xiii. 649. [9] *Acta Dom. Conc.*, xix. 266. [10] *Exch. Rolls*, xi. 463. [11] *Laing Charters*, No. 267. [12] Inventory, Gen. Reg. Ho [13] *Acta Dom. Conc.*, xix. 235.

Margaret Hume, who survived him, and who in 1522 was wife of James Murray of Falahill.[1] He died on 5 August 1515,[2] leaving issue:—

1. JOHN.
2. *Thomas*, who had a charter of feu-farm to Mr. Thomas Cranston, second son of the deceased William Cranston of Cranston, of the King's lands of Elburne, otherwise Weststeid of Longhope, in the county of Selkirk, 7 January 1535-36.[3] He married Helen Macgill, who survived him and married, before 1563, William Knowis. By her he had a daughter Janet, married (contract dated 16 March 1560-61) to John Knowis, son of Mr. John Knowis, burgess of Linlithgow.[4]

JOHN CRANSTOUN of Cranstoun, was served heir to his father, 30 October 1515. He had a precept of *clare constat* of the lands of Denholm, Fowlersland, Little Rulwood, etc., from Douglas of Cavers, the superior, 26 April 1521, and a charter to himself and Janet Scot, his wife, of the lands of Smailholm, Sprouston, etc., 15 June 1526. He married Jean or Janet Scot, daughter of Sir Walter Scot of Buccleuch (p. 230 of this vol.), by his third wife Janet Beaton, daughter of the Laird of Creich.[5] He died in 1552, leaving issue:—

WILLIAM, who succeeded.

He had also a natural son, Captain *John*, dead in 1586.[6]

SIR WILLIAM CRANSTOUN of Cranstoun, had a charter to himself and Elizabeth Johnston, his wife, and John Cranstoun, their son, of the lands of New Cranstoun, in the county of Edinburgh, 30 May 1553.[7] He was dead before 23 May[8] 1569, and by his wife, a daughter of Andrew Johnston of Elphinston, left issue:—

1. JOHN, who succeeded.
2. *James*.[9]
3. *Mr. Thomas*,[10] executed at Perth, 23 August 1600,

[1] *Acta Dom. Conc.*, xxxiii. 101. [2] *Laing Charters*, No. 311. [3] *Reg. Mag. Sig.* [4] *Reg. of Deeds*, iv. f. 180; vi. f. 175. [5] Crawfurd's *Peerage*, Scots of Buccleuch, 53. [6] *Reg. Sec. Sig.*, liv. 39. [7] *Reg. Mag. Sig.* [8] *Exch. Rolls*, xx. 396. [9] *Acts and Decreets*, xxxiii. 306. [10] *Reg. of Deeds*, xix. 341.

along with two others, attendants of the Earl of Gowrie, for drawing their swords in the time of tumult in which the Gowrie Conspiracy culminated.[1]

4. *Alexander*, who on 27 March 1561 chose his father and others as curators *ad lites*. In April 1565 he is described as fiar of Glenraith, co. Peebles, that estate having apparently been settled on him. He was alive in 1596.[2]
5. *Andrew*.[3]
6. *Mr. George*, who died between 1589 and 1592.[4]
7. *Marion*, married, first, to Robert Scott of Aikwood, contract dated 9 February 1564-65;[5] secondly, to John Hume of Crumstanes.[6]
8. *Margaret*, married to Sir Robert Scott of Thirlestane.[7]

Sir John Cranstoun of Cranstoun, had a charter from his father to himself and Margaret Ramsay, his wife, of the lands of Denholm, etc., 24 January 1562-63. He suceeeded his father before 23 May 1569, when he had sasine of the lands of Sprouston and others.[8] He had a discharge by William Douglas of Cavers as overlord, dated 29 March 1574, to John Cranstoun of that Ilk, son and heir of the late Sir William Cranstoun, Knight, of the composition of non-entry for the lands of Denoume Mains, Little Roulwood, and Foullerslands, also lands of Denoume wherever they lie, Denoume Dein, Balze Hag, and the lands of Stobs, as they lie in the lordship of Denoume, barony of Cavers, etc.[9] He early threw in his lot with the cause of the Reformers, and in April 1560 set his name to the Band of the Scottish Nobility wherein the reformation of the true religion and the expulsion of the French with the aid of the Queen of England's army was declared the undertaking of its signatories,[10] and the same year sat in the Scottish Parliament which approved the Confession of Faith.[11] He was appointed one of the commissioners for the apprehension of Jesuits and Seminary priests within the bounds of

[1] Pitcairn's *Criminal Trials*, vol. i. pt. iii. 155. [2] *Acts and Decreets*, xxi. f. 73; xxxiii. f. 190; *Deeds*, xix. 403; *Laing Charters*, No. 1321. [3] *Reg. Sec. Sig.*, liv. 39. [4] *Deeds*, xliv. 76. [5] *Acts and Decreets*, xxxi. 301. [6] *Deeds*, xii. 173. [7] *Thirlestane Inv.*; M'Call's *Some Old Families*, 211. [8] *Exch. Rolls*, xx. 396. [9] *Laing Charters*, No. 888. [10] *Cal. of Scot. Papers*, i. No. 753. [11] *Acta Parl. Scot.*, ii. 526.

the sheriffdom of Roxburgh, or Teviot
described by Calderwood as 'that re
professor Sir John Cranstoun of that
in 1609, when on 8 June of that year,
of that Ilk, he granted a charter of the
By Margaret, his wife, eldest daughte
of Dalhousie, he had the following fam

1. *John*, who predeceased his father
2. Sarah (described in her marriag daughter).
3. *Margaret*, married to a son of Cavers (contract dated 1 June 15
4. *Elizabeth*, married to Mr. Willia dated 27 July 1609).[3]
5. *Helen*, married to Mungo, eldest Carberry, between 17 November 1598.[4]
6. *Jean*, married to Rutherford of H

Sarah Cranstoun, second daughter
William, son of John Cranstoun of
father was Cuthbert Cranstoun of Thi
tract dated 13 and 31 December
charter passed the Great Seal, 15 Ma
Cranstoun of Cranstoun, William Cra
Cranstoun of Moriestoun, and Sarah
daughter of the said John Cransto
the lands of Easter and Wester Ki
etc., in the county of Selkirk.[6] Willi
charter from Sir David Home of We
himself and his wife, of the lands
Woolie, in the county of Roxburgh, an
terms of the lands of Lyleston in
January 1612. He was appointed by
the Horse Garrison, or King's Guar
Dunbar, Lieutenant of the Borders, an
a body of five-and-twenty horsemen h
self by his zeal and vigour in suppres

[1] Inventory, Gen. Reg. Ho. [2] *Ibid.* [3] *Ibid.*
1321 and 1363. [5] *Deeds*, xxxvi. 18. [6] *Reg. Mag*

then prevailing through that region. The numerous Acts of indemnity passed in favour of himself and his assistants are eloquent testimony to the drastic measures he employed, and the summary nature of the justice he dispensed. In 1605 he was keeper of Lochmaben Castle and a deputy-lieutenant of the Borders.[1] He was raised to the Peerage by the title of LORD CRANSTOUN, by patent, dated 19 November 1609, to him and his heirs-male, bearing the name and arms of Cranstoun,[2] and the same year he represented the smaller barons of Roxburghshire in the Convention of Estates in Edinburgh. On 15 June 1611 a commission was granted to Lord Cranstoun and others to be His Majesty's Justices in the middle shires (virtually a re-appointment of the office of commissioners which they previously held), with a salary of £500 per annum, and in August of the same year he resigned his appointment as Captain of the King's Garrison, succeeding to the Earl of Dunbar as Lieutenant of the Borders, and being admitted a member of the Privy Council. He was a man of singular energy and fearlessness, and though his relentless rule on the Borders of necessity made him many enemies, yet his persistence therein brought back that region to a state of law and order such as it had not known for many years, and from which it never really again relapsed. He apparently survived his wife, who was alive on, but is not named later than, 11 March 1619,[3] and died in June 1627, having had issue:—

1. JOHN second Lord Cranstoun.
2. *James*, styled Master of Cranstoun, married, first, Elizabeth, eldest lawful sister of David Macgill of Cranstoun Riddell (post-nuptial contract dated 10 and 12 July 1612).[4] For maintaining a quarrel which he had entered into with the son of Sir Gideon Murray, whom he persistently challenged to fight after due reconciliation by order of the Court, he was imprisoned in Blackness Castle, and in August 1610 was banished from the country during his

[1] *P. C. Reg.* [2] *Reg. Mag. Sig.*, at date. [3] *Ibid.* The *Complete Peerage* erroneously assigns him Elizabeth Macgill as a second wife. She was the wife of his son James. [4] Recorded 12 November 1614; *Reg. of Deeds*, vol. 228.

Majesty's pleasure.[1] He married, secondly, Elizabeth, eldest daughter of Francis Stewart, Earl of Bothwell. He died 1633,[2] leaving issue by his first marriage one daughter:—

(1) *Elizabeth*, married, 1632, to Thomas Craig of Riccarton.[3]

And by his second marriage:—

(2) WILLIAM, third Lord Cranstoun.
(3) *Margaret*, married to Cockburn of Clerkington.
(4) *Sara*, married to Sir Robert Dobie of Stanyhill (charter to her as his affianced spouse, 12 November 1641).[4] Her testament was confirmed 21 December 1691.[5]
(5) *Isobel*, youngest daughter,[6] married to Sir Gilbert Elliot of Stobs.

3. *Henry*. He was decerned, 29 July 1617, to marry Isobel, daughter of Patrick Symson, minister of Stirling, whom he had promised to marry, and who had a 'maiden bairn' by him, but the decreet was reduced 31 July 1618.[7] He was appointed a colonel of horse for Roxburghshire in 1644, and was also one of the commissioners of war for the county.[8] He married Margaret Wauchope, who survived him, and was alive in 1653.[9]
4. *Thomas*.
5. *Agnes*, styled eldest daughter, 1618.[10]
6. *Elizabeth*, married to John Edgar, younger of Wedderlie.[11]
7. *Barbara* (also called *Janet*), married (contract 2 November 1615) to John Seton of Touch.[12]

II. JOHN, second Lord Cranstoun, had a charter of the lands of Denholm, Fowlersland, Little Rulwood, etc., to himself and Elizabeth Scott, his wife, 30 June 1619, also an annuity out of the lands of Smailholm, Wauchope, etc., to himself and Helen Lindsay, his second wife, 23 April 1623. He was served heir to his father 10 November 1627, and had charters of the lands of Aldingston and Dodes, in Berwickshire, 26 January 1633, of Smailholm, Crailing, Cranstondaw, called New Cranstoun, Liggartwood, the

[1] Abbotsford Club, *Melros Papers*. [2] Edin. Tests. [3] *Edinburgh Sas.*, xix. 89; *Decreets*, 486, 19 June 1635. [4] *Edinburgh Sas.*, xxix. 463. [5] Edin. Tests. [6] *Ibid.* [7] *Edin. Com. Reg. of Decreets.* [8] *Acta Parl. Scot.*, vi. 1648. [9] Inventory, Gen. Reg. Ho. [10] *Edinburgh Sas.*, i. 301. [11] *Reg. Mag. Sig.*, 11 March 1619. [12] Inv. Gen. Reg. Ho.

barony of Cranstoun, and of the office of coroner for Roxburghshire, 17 January 1638, to himself in liferent, and to William, Master of Cranstoun, only son of the deceased James, Master of Cranstoun, brother-german of John Cranstoun, in fee, etc., whom failing to Henry and Thomas Cranstoun, brothers - german of the said Lord Cranstoun, George Cranstoun of Glen (*nepos patris proavi*), grandson of the late Sir Thomas Cranstoun of that Ilk, Knight, father of the great-grandfather on the mother's side of the said Lord Cranstoun, and the heirs-male of their bodies respectively; whom failing to the nearest heir-male of John, Lord Cranstoun, bearing the name and arms of Cranstoun.[1] He married, first, Elizabeth, youngest daughter of Walter, first Lord Scott of Buccleuch (contract dated 22 November 1616, recorded 20 March 1617[2]); secondly, Helen, youngest daughter of James, seventh Lord Lindesay of the Byres, who died 1658, but had no issue by either. He was dead in or before 1648, and was succeeded by the son of his brother James.

III. WILLIAM, third Lord Cranstoun, granted a commission, dated July 1649, to Harie and John Cranstoun, as factors to alienate and dispone his lands, and from this date the dismemberment of the family estates proceeded with rapidity. Ligertwood (Legerwood), in the parish of that name and shire of Berwick, was apprised from him at the instance of James Wilson, merchant burgess of Edinburgh, in March 1653.[3] The estate of New Cranstoun passed into the hands of Sir John Fletcher, the King's advocate.[4] Over and Nether Woolie and other lands in the south of Roxburghshire were purchased in 1659 by Sir Gilbert Elliot of Stobs, while Denholm, Rulewood and Fowlerslands also henceforth ceased to belong to the family. In 1648 Lord Cranstoun was appointed a colonel of horse, or foot, for Edinburghshire, and one of the commissioners of war for the county of Roxburgh, and the same year, as one of the 'Engagers,' he took part in the unfortunate invasion of

[1] *Reg. Mag. Sig.*, at date. The charter is correctly quoted, but in the original the relationship of Sir Thomas Cranstoun to Lord Cranstoun is wrongly stated. [2] *Reg. of Deeds*, vol. 259; vol. ii. of this work, p. 233. [3] *Reg. Mag. Sig.*, 1653, No. 134. [4] Sir James Dalrymple's *Coll.*, 350.

England under the Duke of Hamilton, which ended in the disastrous rout of Preston. In the following year he presented a petition to the commissioners of the kirk, expressing deep contrition for this grievous offence, with a desire to make public confession of his guilt and become reconciled to the kirk before leaving his native land, intending to use all means with those in power in England to have liberty to go beyond the sea. The commissioners were, however, unable to grant his request, and recommended him to the General Assembly,[1] by whose good offices he was in December 1650 readmitted to the Parliament, his incapability removed, and he reponed to his former integrity.[2] Notwithstanding his deep contrition he joined Charles II. after his landing in Scotland, marched with him to Worcester, where he was taken prisoner and immured in the Tower. From Cromwell's Act of Grace and Pardon (August 1654) he was particularly excepted, and lands of the yearly value of £200 were settled on his wife and children out of his estates, which were forfeited.[3] On being recommended by Lilburne to the Protector's favour, he obtained a licence in 1656 to levy 1000 men for the service of the King of Sweden in Poland, in accordance with the policy of Monck, who hoped thus to get rid of the turbulent and disaffected spirits with which the country abounded, but he experienced great difficulty in transporting his mutinous levies to their destination.[4] As a result of his services, the King of Sweden, Charles Gustavus, made a special request to the Protector through his ambassador that Lord Cranstoun's estate in Scotland be absolutely discharged from confiscation, which was granted, and an order to that effect approved 19 June 1656.[5] His estates were now of little worth to him, however, their annual value that year being stated at £596, 9s. 7d., while his debts amounted to £10,182, 8s., 7d.[6] In 1657 he was formally pardoned by Parliament.[7] He was living 29 July 1664. He married Mary Leslie ('Lord Cranstoun a gallant man, but she a vitious woman'[8]), second daughter of Alex-

[1] *Proc. of Commissioners of Gen. Assembly*, Scot. Hist. Soc. [2] Balfour's *Annals*, 1650. [3] Crawfurd's *Official Statement*, 454. [4] *Scotland and the Protectorate*, Scot. Hist. Soc. [5] *State Papers*, Domestic Series. [6] *Acct. of Forfeited Estates and Claims.* [7] *Acta Parl. Scot.*, vi. pt. ii. 1657. [8] Macfarlane's *Gen. Coll.*, 52.

ander, first Earl of Leven (contract 10 July 1643),[1] and had issue:—

1. JAMES, fourth Lord Cranstoun. 2. *Alexander*. 3. *Agnes*. 4. *Helen*. 5. *Margaret*. 6. *Christian*. 7. *Elizabeth*. 8. *Mary*. 9. *Barbara*. (All nominated in a bond of provision, dated 20 March 1663[2]).

IV. JAMES, fourth Lord Cranstoun, had a charter to James, Master of Cranstoun, of the lands of Smailholm and Nether Crailing, in the county of Roxburgh, 29 July 1664. He died between 1685 and 1688.[3] By his wife Anne, daughter of Sir Alexander Don, Baronet, of Newton, near Kelso, he had two sons:—

1. WILLIAM, fifth Lord Cranstoun.
2. *Alexander*, who died at Darien, without issue.

V. WILLIAM, fifth Lord Cranstoun, supported the treaty of Union in the last Scots Parliament, and died 27 January 1726-27. He married, before 1703, Jean Ker, eldest daughter of William, second Marquess of Lothian, and by her, who survived him forty-one years, dying in March 1768, had issue:—

1. JAMES, sixth Lord Cranstoun.
2. *William*, died young.
3. *Archibald*, died young.
4. *Alexander*, baptized at Crailing, 5 May 1713, died young.
5. *William Henry*, baptized at Crailing, 12 August 1714. He was a captain in the army, and married at Edinburgh, 22 May 1744, Anne, daughter of Mr. David Murray, merchant in Leith, a son of Sir David Murray of Stanhope, Baronet. The marriage was kept private on the plea that the lady being a Roman Catholic, and the fact becoming known, Captain Cranstoun's preferment would be prejudiced. A daughter was born at Edinburgh on 19 February 1745, and in the following year Cranstoun disowned the marriage. His wife raised an action of declarator before the commissaries of Edinburgh, and after a lengthy litigation there, and subsequently in the

[1] *Gen. Reg. of Sas.*, liii. 149. [2] *Deeds*, Durie, 26 March 1678. [3] *Privy Seal Eng. Reg.*, iv. 315.

Court of Session, a declarator of her marriage and her daughter's legitimacy was pronounced. His relations with a Miss Mary Blandy, daughter of a retired attorney at Henley in 1746, were the cause of that lady administering poison to her father from the effects of which he died, and for which she was hanged at Oxford in 1752.[1] Captain Cranstoun died at Furnes in Flanders, 2 December 1752.

6. *Charles*, baptized at Crailing 26 February 1716, died unmarried.
7. *George*, married Maria, daughter of Thomas Brisbane of Brisbane, in Ayrshire, who died at New Cairnmuir, 27 October 1807. He died at Edinburgh, 30 December 1807, having had issue:—

(1) *Henry Kerr*, of the Navy Pay Office, London, married, first, to Christina Smart, and had issue; secondly, 11 October 1803, Mary Ann, eldest daughter and co-heiress of Sir John Whitfoord of Whitfoord, Baronet. He died 9 February 1843 in his eighty-seventh year.[2]

(2) *George*, admitted a member of the Faculty of Advocates, 5 February 1793, Sheriff-depute of the county of Sutherland in 1806-17, Dean of the Faculty of Advocates in 1823, and raised to the bench with the title of Lord Corehouse in 1826, from which he retired in 1839. He died 26 June 1850, unmarried. He was an intimate friend of Sir Walter Scott, an eminent judge, and a noted scholar.

(3) *Margaret Nicolson*, married, 25 February 1780, to William Cunningham of Lainshaw in Ayrshire, and had issue. Her third daughter, Anne Selby, was married, 7 September 1805, to Richard Barré Duning, Lord Ashburton.

(4) *Jane Anne*, married, 23 June 1797, to Wenceslaus, Count of Purgstall, Count of the Holy Roman Empire, with large estates in the province of Styria, and had one son, who died young.

(5) *Helen d'Arcy*, married, 26 July 1790, to Dugald Stewart of Catrine in Ayrshire, Professor of Moral Philosophy in the University of Edinburgh, and died at Warriston House, Edinburgh, 28 July 1838, having had issue.

8. *Jane*, died young.
9. *Anne*, married to Gabriel Selby of Paston, in Northumberland, and died there, 19 August 1769.
10. *Elizabeth*, died unmarried.

[1] Anderson's *Scottish Nation.* [2] There is a tombstone in the churchyard of Melrose Abbey, on the south side of the nave, erected to the memory of Henry Kerr Cranstoun by his granddaughter, Julia H. Ommaney.

11. *Jean*, baptized at Crailing, 16 May 1717, died unmarried, 9 December 1796.
12. *Mary*, married to Archibald Megget, writer, Edinburgh, and died 10 April 1768.

VI. JAMES, sixth Lord Cranstoun, succeeded his father in 1727, and obtained in 1756 an act for the sale of the estate in Northumberland, settled on his marriage for the benefit of Sophia, Lady Cranstoun and their issue, for raising money to discharge the encumbrances affecting it, and also towards disencumbering his estate in Scotland, settled also for the benefit of Lady Cranstoun and the issue of their marriage. He married, before 1749, Sophia, daughter of Jeremiah Brown of Abscourt in Surrey, with whom he obtained a considerable fortune, and who owned an estate in the West Indies. He appears to have been reduced to impoverished circumstances, notwithstanding his wife's fortune, as in April 1737 he borrowed from the poor's money of the parish of Crailing a sum of twenty pounds, which at intervals over a period of thirty years the kirk session made fruitless efforts to recover, neither threats of legal proceedings nor the censure of the church being of any avail.[1] He died in Portman Square, London, 4 July 1773, and his widow on 26 October of the same year married Michael Lade, councillor of law. She died on 26 October 1779. The issue of Lord Cranstoun's marriage were:—

1. WILLIAM, seventh Lord Cranstoun.
2. *Brown*, baptized at Crailing, 31 March 1754, died unmarried.
3. JAMES, eighth Lord Cranstoun.
4. *Charles*, who married Elizabeth Turner of co. Worcester. He died in November 1790, leaving issue a son:—
   (1) JAMES EDMUND, who became ninth Lord Cranstoun.
5. *George*, baptized at Crailing 21 December 1761; captain of an independent company of Foot in Africa, disbanded 1783; lieutenant-colonel of M. G. Nicoll's West India regiment, 1796; commanded the 64th Regiment of Foot at the capture of Surinam,

[1] Crailing Kirk Session Records.

where he was wounded; raised to the rank of colonel in the army 1 January 1805; and died at Surinam 8 March 1806, in his forty-fifth year, unmarried.

6. *Elizabeth*, baptized at Crailing 16 September 1751.
7. *Charlotte*, baptized at Crailing 31 March 1764.

VII. William, seventh Lord Cranstoun, born at Crailing 3 September 1749, succeeded his father 1773; died unmarried, at London, 29 July 1778,[1] and was succeeded by his brother.

VIII. James, eighth Lord Cranstoun, baptized at Crailing 26 June 1755, had the rank of lieutenant in the royal navy, 19 October 1776, captain 31 January 1782. In command of the *Bellequieux* of sixty-four guns, and afterwards of the *Formidable*, he distinguished himself in the engagements with De Grasse off St. Christopher in 1782, and was sent home by Lord Rodney with despatches announcing the victory in which that admiral paid high tribute to Lord Cranstoun's gallant behaviour. He commanded the *Bellerophon*, in Admiral Cornwallis's squadron, 17 June 1795, when with five ships of the line and two frigates he maintained an attack on the French fleet of thirteen ships of the line, seven frigates and other vessels, and obliged them to give way after a running fight of twelve hours, wherein eight ships of the line were so shattered that they could engage no longer. For this action he received the thanks of Parliament 17 November 1795. In 1796 he was appointed Governor of Grenada and vice-admiral of that island, but before taking up his post he died at Bishops Waltham in Hampshire, 22 September 1796, in the forty-second year of his age, being accidentally poisoned, and was buried in the garrison chapel at Portsmouth. He married at Darnhall, 19 August 1792, Elizabeth, youngest daughter of Lieutenant-Colonel Lewis Charles Montolieu, sister of Lady Elibank, but had no issue, and was succeeded by his nephew. Lady Cranstoun died at Bath 27 August 1797, aged twenty-seven.

IX. James Edmund, ninth Lord Cranstoun, was the son of

[1] *Gent. Mag.*

Charles, younger brother of the eighth Lord, and succeeded his uncle in 1796. He married at the Retreat in St. Christopher, 25 August 1807, Anne Linnington, eldest daughter of John Macnamara of that island. He died 5 September 1818, survived by his wife, who died 22 November 1858. He had issue:—

1. JAMES EDWARD, tenth Lord Cranstoun.
2. CHARLES FREDERICK, eleventh Lord Cranstoun.
3. *Eliza Linnington*, born 15 August 1808, died 23 January 1849, having been married, 24 February 1838, to Richard Ford, Esquire, of Heavitree, Devon, who died 1 September 1858.
4. *Anna Caroline*, born 23 December 1812, died 17 November 1847.

X. JAMES EDWARD, tenth Lord Cranstoun, born at Cranstoun House, St. Christopher, 12 August 1809,[1] matriculated at Christ Church, Oxford, 23 October 1828. He married, in 1843, Elizabeth, eldest daughter of Sir John Henry Seale, Baronet, by Paulina Elizabeth, only child of Sir Paul Jodrell, and died at Duncroft House, St. John's Wood, Middlesex, 18 June 1869. His widow survived him until 23 December 1899, when she died at Shanklin, Isle of Wight. Under a deed of entail executed by Richard Barré, Baron Ashburton, he succeeded, as heir of entail and provision general, to the estate of Rosehall, Sutherlandshire, in 1824. In 1848 the following seats are said to have belonged to him, Sandridge Park, Bagton Manor, Devon; Rosehall, Sutherland; Arisaig, Inverness-shire; and Glenlee Park, Kirkcudbrightshire.[2] Lord Cranstoun is said to have exchanged entailed estates in Rossshire for the estate of Benholm, in Forfarshire, about the year 1830, and that estate is said to have passed, under the entail of Baron Ashburton, on the death of Charles Frederick, eleventh and last Baron, to the Baroness de Virte, eldest daughter of Roderick Macleod of Cadboll.[3] He had issue:—

Pauline Emily, born 26 January 1855.

[1] The estate of Crailing, the last of the family possessions in the south of Scotland, passed to other hands towards the end of the eighteenth century. [2] Cf. Services of Heirs, 26 January 1824. [3] *Land of the Lindsays*, And. Jervise, 405.

XI. Charles Frederick, eleventh Lord Cranstoun, born in St. Christopher 1813. Matriculated St. Alban Hall, Oxford, 30 June 1829, B.A. Jesus College 1836. Succeeded his brother in 1869, and died unmarried at Brighton, 28 September 1869, when the title is presumed to have become extinct.

Creation.—Lord Cranstoun, 19 November 1609.

Arms (not recorded in Lyon Register).—Gules, three cranes argent.

Crest.—A crane sleeping, with its head under its wing, one foot with a stone lifted up.

Supporters.—Dexter, a lady richly attired, holding out a bunch of strawberries to a buck, proper, the supporter on the sinister side.

Motto.—*Thou shalt want ere I want.*

[A. O. C.]

END OF VOL. II

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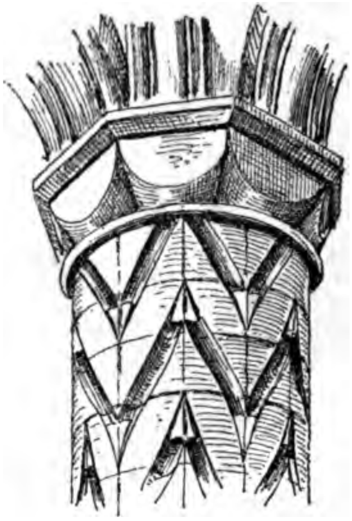

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